

**ERIE COUNTY LEGISLATURE  
MEETING NO. 18  
OCTOBER 12, 2006**

The Legislature was called to order by Chairman Marinelli.

All members present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Legislator Locklear.

Item 1- CHAIRMAN MARINELLI directed that the Nomination & Election of the Clerk be tabled.

Item 2 – No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 – MS. WHYTE moved for the approval of the minutes of meetings 16 and 17 of 2006. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 5 - No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 6 – MR. REYNOLDS presented a resolution Declaring October 22, 2006 "Hamburg Family Day" in Erie County.

Item 7 – MS. WHYTE presented a resolution National Latino AIDS Awareness Day.

Item 8 – SMITH & HOLT presented a resolution In Memory of Lance Cpl. Howard S. March Jr.

Item 9 – MR. LOUGHRAN presented a resolution Honoring David Hahn Baker as the Recipient of the 2006 Paul MacClennan Environmental Citizen Award.

Item 10 – HOLT & SMITH presented a resolution Honoring the 2006 Christian Heritage Festival.

Item 11 – MS. MARINELLI presented a resolution Honoring Justin Rooney Upon Being Named the 2006 John F. Kennedy Award Winner by the Newstead Democratic Committee.

Item 12 – MR. SMITH presented a resolution Honoring Ashley Alisa Tolbert Upon Being Crowned 2006 Miss Alpha Kappa Alpha Sorority Inc.

Item 13 – MR. MAZUR presented a resolution Honoring Patricia Wojcik for her 31 Years of Service to Senior Citizens in Cheektowaga.

Item 14 – MS. MARINELLI presented a resolution Recognizing Business & Professional Women of Buffalo/Amherst National Business Women's Week Oct. 16-20 2006.

Item 15 – SMITH & HOLT presented a resolution Honoring the 2006 Black Achievers Award Winners.

Item 16 – MR. LOUGHRAN presented a resolution Congratulating Chief Warrant Officer Patrick Morrow on the Occasion of his Retirement from the US Marine Corps.

MS. WHYTE moved for consideration of the above eleven items. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above eleven items for Et Al Sponsorship and add 9 from the Minority Caucus and add 3 from Legislator Konst. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 17 – THE MINORITY CAUCUS presented a resolution Congratulating Uniland Development Company on receiving the Amherst Chamber of Commerce 2006 Business of the Year Award.

Item 18 – THE MINORITY CAUCUS presented a resolution Congratulating NOCO Express Stores on receiving the Amherst Chamber of Commerce 2006 Community Revitalization Award.

Item 19 – THE MINORITY CAUCUS presented a resolution Congratulating Buffalo Niagara Medical Campus on receiving the Amherst Chamber of Commerce 2006 Entrepreneurship Award.

Item 20 – THE MINORITY CAUCUS presented a resolution Congratulating Service Office Supply on receiving the Amherst Chamber of Commerce 2006 Family Owned Business Award.

Item 21 – THE MINORITY CAUCUS presented a resolution Congratulating Amherst Pizza & Ale House on receiving the Amherst Chamber of Commerce 2006 Hospitality Award.

Item 22 – THE MINORITY CAUCUS presented a resolution Congratulating People Inc. on receiving the Amherst Chamber of Commerce 2006 Human Resources Award.

Item 23 – THE MINORITY CAUCUS presented a resolution Congratulating LaserTron on receiving the Amherst Chamber of Commerce 2006 Retail Service Award.

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Item 24 – THE MINORITY CAUCUS presented a resolution Congratulating MJW Corporation on receiving the Amherst Chamber of Commerce 2006 Technology Award.

Item 25 – THE MINORITY CAUCUS presented a resolution Congratulating Rich Newberg on his Induction into the Western New York Broadcasters Hall of Fame.

Item 26 – MS. KONST presented a resolution congratulating Christopher Wirth Upon Receiving the Rank of Eagle Scout.

Item 27 – MS. KONST presented a resolution Congratulating Dale Volker Upon being Honored by St. Mary's High School of Lancaster.

Item 28 - MS. KONST presented a resolution Congratulating Stanley Keysa Upon being Honored by St. Mary's High School of Lancaster.

MS. WHYTE moved for the approval of the above twenty-three items. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 29 - CHAIRMAN MARINELLI directed that Local Law No. 7 (Print #1) 2005 remain on the table.

GRANTED.

Item 30 – CHAIRMAN MARINELLI directed that Local Law No. 12 (Print #1) 2005 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 - CHAIRMAN MARINELLI directed that Local Law No. 4 (Print #1) 2006 remain on the table.

GRANTED.

Item 32 - CHAIRMAN MARINELLI directed that Local Law No. 5 (Print #1) 2006 remain on the table.

GRANTED.

Item 33 - CHAIRMAN MARINELLI directed that Local Law No. 6 (Print #1) 2006 remain on the table.

GRANTED.

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Item 34 - CHAIRMAN MARINELLI directed that Local Law No. 8 (Print #1) 2006 remain on the table.

GRANTED.

**COMMITTEE REPORTS**

Item 35 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 287

OCTOBER 3, 2006

HUMAN SERVICES COMMITTEE  
REPORT NO. 11

ALL MEMBERS PRESENT.

- 1. COMM. 17E-13 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (III-B) and the Elder Caregiver Support Grant (III-E) grants for the period January 1, 2006 through December 31, 2006, and for the Weatherization Referral and Packaging Program (WRAP-SOFA) for the period October 1, 2005 through September 30, 2006, and

WHEREAS, the Department has reviewed the budgets and actual costs of carrying out the grant programs through the end of the year, and

WHEREAS, the grant budgets need to be revised.

NOW, THEREFORE, BE IT

RESOLVED, that the III-B grant, 163III-B2006, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
	Local Mileage			
510000	Reimbursement	\$5,500	-\$2,400	\$3,100
510200	Training & Education	6,000	2,400	8,400
	TOTAL CHANGE		<u>\$0</u>	

and be it further

RESOLVED, that the III-E grant, 163III-E2006, be revised as follows:

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
500000	Full Time Salaries	\$342,584	-\$5,500	\$337,084
	Local Mileage			
510000	Reimbursement	6,500	2,800	9,300
510200	Training & Education	2,000	700	2,700
530000	Other Expenses	2,500	2,000	4,500
TOTAL CHANGE			<u>\$0</u>	

and be it further

RESOLVED, that the WRAP-SOFA grant, 163WRAP-SOFA0506, be revised as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
502000	Fringe Benefits	\$74,731	\$2,741	\$77,472
	Local Mileage			
510000	Reimbursement	6,950	562	7,512
530000	Last Resort Weatherization	76,420	-3,303	73,117
TOTAL CHANGE			<u>\$0</u>	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive’s Office, the Division of Budget, Management and Finance, the Comptroller’s Office and the Department of Senior Services.

(3-0)

2. **COMM. 17E-14 (2006)**  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is seeking authorization to receive additional funds in the amount of \$18,792 and to amend the contract for an extension of a current special State grant award from the Division of Criminal Justice Services, and

WHEREAS, this award is to fund the extension of a current grant and an increase to an existing contract with the Boys and Girls Clubs of Buffalo, and

WHEREAS, the Boys and Girls Clubs of Buffalo is designated for the contract extension and increase by the State as the provider of the West Side Delinquency Prevention program, and

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, this program is fully funded with a combination of State funds and in-kind services contributed by the Boys and Girls Clubs of Buffalo, and

WHEREAS, there is no local share, and there is no fiscal impact to the 2006 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are authorized to execute or amend agreements with the New York State Division of Criminal Justice Services and the Boys and Girls Clubs of Buffalo, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2006 Adopted Budget:

Department of Social Services, Grant 120WSIDEDELINQ0506

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
516010	Boys and Girls Clubs of Buffalo	<u>\$18,792</u>
	Total Expenditures	<u>\$18,792</u>
409000	State Aid	<u>\$18,792</u>
	Total Revenues	<u>\$18,792</u>

and be it further

RESOLVED, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(3-0)

**THOMAS J. MAZUR  
CHAIRMAN**

Item 36 – MS. IANNELLO presented the following report and moved for immediate consideration and approval. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 288

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

OCTOBER 3, 2006

COMMUNITY ENRICHMENT COMMITTEE  
 REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATOR LOUGHRAN. CHAIRMAN MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 27D-1 (2005)  
**ECC:** Enact a Local Law Authorizing a Ground Lease from EC to the ECC Foundation for Development of a Student Housing Facility Complex at ECC South  
 (4-0)
  - b. COMM. 12D-5 (2006)  
**ECC:** State Education Law Which Define the Impact of a Reduction in Local Sponsor Support to ECC  
 (4-0)
  - c. COMM. 14E-5 (2006)  
**COMPTROLLER:** Audit of Payroll and Procurement Transactions Processed by ECC  
 (4-0)
  - d. COMM. 15D-13 (2006)  
**ECC:** Response to Comptroller's Audit of Payroll and Procurement Transactions Processed by ECC  
 (4-0)

**MICHELE M. IANNELLO**  
**CHAIRMAN**

Item 37 – MS. LOCKLEAR presented the following report and moved for immediate consideration and approval. MS. KONST seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 289

OCTOBER 3, 2006

HEALTH COMMITTEE  
 REPORT NO. 12

ALL MEMBERS PRESENT.

**ALL ITEMS ARE HEREBY TABLED.**

**CYNTHIA E. LOCKLEAR**

**CHAIRMAN**

Item 38 – MR. KENNEDY presented the following report and moved for immediate consideration and approval. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 290

OCTOBER 5, 2006

ECONOMIC DEVELOPMENT COMMITTEE  
 REPORT NO. 14

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 4E-8 (2006)  
**MARINELLI:** Economic Development Matrix Tracking  
 (4-0)
  - b. COMM. 15M-20 (2006)  
**NYPA:** Copy of Letter to Congressman Higgins Re: Niagara Power Project Revenue  
 (4-0)
  - c. COMM. 15M-31 (2006)  
**CONGRESSMAN HIGGINS:** Copy of Letter to NYPA Re: Reply to Comm. 15M-20  
 (4-0)

2. COMM. 15E-41 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Old County Hall – 2006 Roof Replacement on August 24, 2006, and is recommending award, along with the Engineer, to the lowest responsible bidder, and

WHEREAS, Grove Roofing Company, Inc., 157 Reading Street, Buffalo, NY, 14220 is the lowest responsible bidder for the work as follows:

Base Bid	\$463,250.00
Alternate #1	<u>48,700.00</u>
Total Amount	\$511,950.00

and

WHEREAS, your Honorable Body previously approved a General Architect/Engineer Agreement with the firm of Foit-Albert Associates to provide Engineering Services, and

WHEREAS, the Department of Public Works is requesting your Honorable Body’s authorization to issue a change order to Foit-Albert Associates for providing Construction Administration for the Construction Phase, including required asbestos testing through their subconsultant.

NOW, THEREFORE, BE IT,

RESOLVED, that the County of Erie be authorized to enter into an agreement with Grove Roofing Co., Inc. for the sum of \$511,950.00, and be it further,

RESOLVED, that the sum of \$100,000 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the contingency, and be it further,

RESOLVED, that deduct change orders will result in these funds being returned to the contingency fund, and be it further,

RESOLVED, that the Commissioner of Public Works be authorized to issue a change order to Foit-Albert Associates for an amount not to exceed \$13,050.00 for the Construction Administration Phase, and be it further,

RESOLVED, that the Comptroller be authorized to make payment for all the above in an amount not to exceed \$625,000.00 from:

2005 Bond Fund SAP A.00272.1	\$425,000.00
2003 Bond Fund SAP A.00070.2	125,000.00
2000 Bond Fund SAP A.00018.4	<u>75,000.00</u>
Total	\$625,000.00

and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, and the Office of the Comptroller.  
(4-0)

3. **COMM. 17E-15 (2006)**  
**COUNTY EXECUTIVE**

WHEREAS, a Project for the Pavement Rehabilitation (Multi Course Overlay) of North French Road (CR 299), from Sweet Home Road (CR 301) to NY Route 78, Transit Road, in the Town of Amherst, Erie County, P.I.N. 5755.82 (the “Project”) is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases of the Project, PIN 5755.82.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject project, and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$509,000 is hereby appropriated from the 2006 North French Road Pavement Rehabilitation Program (SAP B.00165) in addition to \$88,000 previously appropriated for the Project's Preliminary Engineering (Scoping and Design I-VI) Phase via County Resolution No.13E-21 adopted July 10, 2003 and made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases exceeds the amount appropriated \$597,000 and/or 100% of the full Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping and Design I-VI) and Construction & Construction Inspection Phases exceeds \$2,981,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project, and be it further.

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and also one copy each to the County Executive, the Commissioner of Public Works, the Budget Director, and the County Comptroller.

(4-0)

**TIMOTHY M. KENNEDY**  
**CHAIRMAN**

Item 39 – MR. SMITH presented the following report and moved for immediate consideration and approval. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 291

OCTOBER 5, 2006

FINANCE & MANAGEMENT COMMITTEE  
 REPORT NO. 14

ALL MEMBERS PRESENT. CHAIRMAN MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 14E-2 (2006)  
**COMPTROLLER:** Net Cash Status of Capital Projects  
 (5-0)
  - b. COMM. 14E-23 (2006)  
**COUNTY EXECUTIVE:** Alternatives to Incarceration Contract with SUNY at Buffalo Institute for Local Governance & Regional Growth  
 (5-0)
  - c. COMM. 17E-3 (2006)  
**COMPTROLLER:** Supplement to the Comprehensive Annual Financial Report for the Year Ended 12/31/05  
 (5-0)
  - d. COMM. 17D-4 (2006)  
**BUDGET, MANAGEMENT & FINANCE:** Copy of Letter to ECFSA Executive Director Re: Request for ECFSA Recommendations  
 (5-0)
  - e. COMM. 17M-2 (2006)  
**ECFSA:** Certified Resolution Re: Requiring COE to Provide a Modified Four-Year Plan to ECFSA by 10/16/06  
 (5-0)

2. COMM. 2D-3 (2006)  
**BUDGET, MANAGEMENT & FINANCE**

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556, and

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Director has investigate the validity of such applications ( see attached listing ).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 206212 through 206311 inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

<b>FISCAL YEAR</b> 2004	Petition No.	<b>206212</b>	
	<b>OWNER</b>	<b>Cancel</b>	\$2,347.27
<b>S-B-L</b> 141.08-1-12		<b>140900 LACKAWANNA</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,347.27	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$1,670.10	
	9993 ECSD#6 STORM	\$677.17	
<b>Charge To :</b>	<b>140900 LACKAWANNA</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, NEW YORK STATE PAYS TAX ON SPECIAL ASSESSMENT THAT THEY RECEIVE A DIRECT BENEFIT. THESE PARCELS ARE VACANT LAND. RPTL 550(2)E

<b>FISCAL YEAR</b> 2006	Petition No.	<b>206213</b>	
	<b>ASSESSOR</b>	<b>Cancel</b>	\$588.96
<b>S-B-L</b> 16.00-5-20		<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$588.96	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$588.96	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,280 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
WILLIAMSVILLE CENTRAL

<b>FISCAL YEAR</b> 2006	Petition No.	<b>206214</b>	
	<b>ASSESSOR</b>	<b>Cancel</b>	\$1,952.44

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 41.10-3-4**

**142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$1,952.44 Town/SpecialDist/School  
 41834 NYS STAR ENHANCED EXEMPTION \$1,115.10

**Charge To : 142289 AMHERST \$837.34**

**Relevy School \$837.34 142203 WILLIAMSVILLE CENT**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 43,050 AND THE ENHANCED STAR IN THE AMOUNT OF 57,330 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL  
**FISCAL YEAR 2006** Petition No. **206215**

ASSESSOR **Cancel** \$1,983.95

**S-B-L 41.20-10-31**

**142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$1,983.95 Town/SpecialDist/School

**Charge To : 142289 AMHERST \$1,983.95**

**Relevy School \$1,983.95 142203 WILLIAMSVILLE CENTRAL**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 189,000 AND SHOULD BE 87,000.  
 RPTL 550(2)A

**FISCAL YEAR 2006** Petition No. **206216**

ASSESSOR **Cancel** \$588.96

**S-B-L 42.07-2-21**

**142289 AMHERST**

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$588.96 Town/SpecialDist/School  
 41854 BASIC STAR EXEMPTION \$588.96

**Charge To : 142289 AMHERST \$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,280 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2006** Petition No. **206217**

ASSESSOR **Cancel** \$787.91

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 54.34-1-7./15C**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$787.91	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$787.91	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 57,330 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 SWEET HOME CENTRAL

**FISCAL YEAR 2005**

Petition No. **206218**

ASSESSOR **Refund** \$446.37

**S-B-L 54.34-1-8./1302**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$446.37	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$446.37	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 31,870 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: KATHLEEN A RISCILLI SWEET HOME CENTRAL

**FISCAL YEAR 2006**

Petition No. **206219**

ASSESSOR **Cancel** \$332.99

**S-B-L 55.16-2-26./4192**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$332.99	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$332.99	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR IN THE AMOUNT OF 30,280. PARCEL WAS ENTITLED TO THE ENHANCED STAR IN THE AMOUNT OF 57,330. RPTL 550(2)B  
 WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2006**

Petition No. **206220**

ASSESSOR **Cancel** \$1,251.76

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 55.17-2-32**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,251.76	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$787.92	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$463.84</b>
<b>Relevy School</b>	\$463.84 142207	SWEET HOME CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 33,750 AND THE ENHANCED STAR IN THE AMOUNT OF 57,330 WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C SWEET HOME CENTRAL

**FISCAL YEAR 2006**

Petition No.

**206221**

ASSESSOR **Cancel** \$1,715.60

**S-B-L 55.17-7-28**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,715.60	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$787.91	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$927.69</b>
<b>Relevy School</b>	\$927.69 142207	SWEET HOME CENTRAL

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 57,330 AND THE SENIOR EXEMPTION IN THE AMOUNT OF 67,500 (50%) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C SWEET HOME CENTRAL

**FISCAL YEAR 2006**

Petition No.

**206222**

ASSESSOR **Cancel** \$1,361.54

**S-B-L 56.08-6-29**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,361.54	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$1,361.54</b>
<b>Relevy School</b>	\$1,361.54 142203	WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 550,000 AND SHOULD BE 480,000. RPTL 550(2)A











**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

<b><u>Charge To :</u></b>	Acct. No. 132	\$523.66	Town/SpecialDist/School
	<b>142289 AMHERST</b>	<b>\$523.66</b>	
	<b>Relevy School</b>	\$523.66	142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 145,000 AND SHOULD BE 118,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b> 2006	Petition No.	<b>206238</b>
ASSESSOR	<b>Cancel</b>	\$588.96

**S-B-L** 80.12-5-19 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$588.96	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$588.96	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 30,280 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL

<b>FISCAL YEAR</b> 2006	Petition No.	<b>206239</b>
ASSESSOR	<b>Cancel</b>	\$387.90

**S-B-L** 80.13-9-13 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$387.90	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$387.90</b>	
	<b>Relevy School</b>	\$387.90	142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 140,000 AND SHOULD BE 120,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b> 2006	Petition No.	<b>206240</b>
ASSESSOR	<b>Cancel</b>	\$588.96

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 81.06-4-37**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$588.96	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$588.96	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 30,280 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2006**

Petition No.

**206241**

ASSESSOR      **Cancel**      \$1,267.54

**S-B-L 82.09-3-9**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,267.54	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$1,267.54</b>
<b>Relevy School</b>	\$1,267.54	143201 CLARENCE CENTRAL

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION MAKING THIS AN EXEMPT PARCEL FROM TAXES. RPTL 550(7)A

**FISCAL YEAR 2006**

Petition No.

**206242**

ASSESSOR      **Cancel**      \$851.15

**S-B-L 82.09-3-10**

**142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$851.15	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$851.15</b>
<b>Relevy School</b>	\$851.15	143201 CLARENCE CENTRAL

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS OWNED BY NEW YORK STATE DEPARTMENT OF TRANSPORTATION MAKING IT EXEMPT FROM TAXES.  
RPTL 550(7)A

**FISCAL YEAR 2006**

Petition No.

**206243**











**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**Relevy School \$382.92 143007 DEPEW UNION-CHEEK**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 36,400 AND SHOULD BE 25,000. RPTL 550(2)A

**FISCAL YEAR 2006 Petition No. 206258**

**ASSESSOR Cancel \$174.55**

**S-B-L 113.56-7-3 143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$174.55	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$174.55</b>
<b>Relevy School</b>	<b>\$174.55</b>	<b>143009 SLOAN UNION #9</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 57,100 AND SHOULD BE 53,300. RPTL 550(2)A

**FISCAL YEAR 2006 Petition No. 206259**

**ASSESSOR Cancel \$585.17**

**S-B-L 114.02-9-11 143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$585.17	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$585.17	
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 19,500 WAS APPLIED TO THE TAX ROLL. PARCEL WAS ENTITLED TO ENHANCED STAR IN THE AMOUNT OF 36,920. RPTL 550(2)B DEPEW UNION FREE

**FISCAL YEAR 2006 Petition No. 206260**

**ASSESSOR Cancel \$940.42**

**S-B-L 125.12-13-3 143089 CHEEKTOWAGA**



**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$487.36	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$487.36	
<b><u>Charge To :</u></b>	<b>143200 CLARENCE</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,760 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CLARENCE CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206264**

ASSESSOR                      **Cancel**                      \$598.29

**S-B-L** 43.05-4-12    **143200 CLARENCE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$598.29	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$598.29	
<b><u>Charge To :</u></b>	<b>143200 CLARENCE</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,760 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206265**

ASSESSOR                      **Cancel**                      \$598.30

**S-B-L** 43.05-4-19    **143200 CLARENCE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$598.30	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$598.30	
<b><u>Charge To :</u></b>	<b>143200 CLARENCE</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,760 WAS NOT APPLIED TO THE TAX ROLL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206266**



**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR 2006**                      Petition No.                      **206269**

ASSESSOR                      **Cancel**                      \$311.33

**S-B-L 58.07-2-14./D**                      **143200 CLARENCE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$311.33	Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>	<b>\$311.33</b>
<b>Relevy School</b>	\$311.33	143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THE AGED EXEMPTION IN THE AMOUNT OF 45,850 WAS MISCALCULTED ON THE TAX ROLL FOR THIS PARCEL. THE AGED EXEMPTION SHOULD BE IN THE AMOUNT OF 65,500. RPRL 550(2)B

**FISCAL YEAR 2006**                      Petition No.                      **206270**

ASSESSOR                      **Cancel**                      \$487.36

**S-B-L 71.06-3-43**                      **143200 CLARENCE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$487.36	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$487.36	
<b>Charge To :</b>	<b>143200 CLARENCE</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,760 WAS NOT APPLIED TO THE TAX ROLL. RPTL 550(2)C  
CLARENCE CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206271**

ASSESSOR                      **Cancel**                      \$373.91

**S-B-L 72.00-3-26.141**                      **143200 CLARENCE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$373.91	Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>	<b>\$373.91</b>
<b>Relevy School</b>	\$373.91	143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS APPLIED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT SHOULD BE 59,600 NOT 36,000. RPTL 550(2)A

**FISCAL YEAR 2006**                      Petition No.                      **206272**



**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

CHECK FOR: ALLEEN & EDWIN CARRICK

**FISCAL YEAR 2006**                      Petition No.                      **206275**

ASSESSOR                      **Cancel**                      \$1,258.65

**S-B-L** 335.18-3-24                      **143889 CONCORD**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,258.65	Town/SpecialDist/School
<b>Charge To :</b>	<b>143889 CONCORD</b>	<b>\$1,258.65</b>
<b>Relevy School</b>	\$1,258.65	143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,400 (50%) WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL .  
RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206276**

ASSESSOR                      **Cancel**                      \$412.77

**S-B-L** 146.02-5-12                      **144200 ELMA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$412.77	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$412.77	
<b>Charge To :</b>	<b>144200 ELMA</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR IN THE AMOUNT OF 1,710 ON THE TAX ROLL. PARCEL IS ENTITLED TO THE ENHANCED STAR IN THE AMOUNT OF 3,240. RPTL 550(2)B                      IROQUOIS CENTRAL

**FISCAL YEAR 2004**                      Petition No.                      **206277**

ASSESSOR                      **Refund**                      \$429.80

**S-B-L** 164.08-1-19                      **144200 ELMA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$429.80	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$429.80	
<b>Charge To :</b>	<b>144200 ELMA</b>	<b>\$0.00</b>

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 1,800 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
CHECK FOR: FLOYD A & PATRICIA ORSINI IROQUOIS CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206278**

ASSESSOR                      **Cancel**                      \$1,169.84

**S-B-L 193.00-2-39.3**                      **144489 EVANS**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$1,169.84      Town/SpecialDist/School  
**Charge To :**                      **144489 EVANS**                      **\$1,169.84**  
**Relevy School** \$1,169.84                      144401 LAKE SHORE CENTRAL

CANCEL - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 43,550 (50%) WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL.  
RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206279**

ASSESSOR                      **Cancel**                      \$26.86

**S-B-L 250.12-8-47./A**                      **144489 EVANS**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$26.86      Town/SpecialDist/School  
**Charge To :**                      **144489 EVANS**                      **\$26.86**  
**Relevy School** \$26.86                      144401 LAKE SHORE CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS DUPLICATED UNDER SBL 250.12-8-61. RPTL 550(2)F

**FISCAL YEAR 2006**                      Petition No.                      **206280**

ASSESSOR                      **Cancel**                      \$18.24

**S-B-L 251.00-1-13./A**                      **144489 EVANS**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$18.24      Town/SpecialDist/School  
**Charge To :**                      **144489 EVANS**                      **\$18.24**  
**Relevy School** \$18.24                      144401 LAKE SHORE CENTRAL

CANCEL - CLERICAL ERROR, THE MCF WAS ERRONEOSLY MISCALCULATED

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

ON THE TAX ROLL. THE ASSESSMENT SHOULD BE ZERO. RPTL 550(2)A

**FISCAL YEAR 2006**                      Petition No.                      **206281**

ASSESSOR                      **Cancel**                      \$1,001.44

**S-B-L** 209.00-2-11                      **144000 EDEN**

Acct. No. 112                      \$0.00      County

Acct. No. 132                      \$1,001.44      Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION      \$1,001.44

**Charge To :**                      **144000 EDEN**                      **\$0.00**

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 44,010 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL.  
RPTL 550(2)C                      EDEN CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206282**

ASSESSOR                      **Cancel**                      \$433.20

**S-B-L** 262.08-2-5.11                      **145000 HOLLAND**

Acct. No. 112                      \$0.00      County

Acct. No. 132                      \$433.20      Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION      \$433.20

**Charge To :**                      **145000 HOLLAND**                      **\$0.00**

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 56,800 WAS NOT APPLIED TO THIS PARCEL ON THE TAX ROLL. RPTL 550(2)C  
HOLLAND CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206283**

ASSESSOR                      **Cancel**                      \$497.13

**S-B-L** 129.04-1-9                      **145400 MARILLA**

Acct. No. 112                      \$0.00      County

Acct. No. 132                      \$497.13      Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION      \$497.13

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**Charge To :                      145400 MARILLA                      \$0.00**

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR IN THE AMOUNT OF 16,250 ON THE TAX ROLL. PARCEL SHOULD HAVE RECEIVED THE ENHANCED STAR IN THE AMOUNT OF 30,760. RPTL 550(2)B    ALDEN CENTRAL

**FISCAL YEAR 2006                      Petition No.                      206284**

ASSESSOR                      **Cancel**                      \$460.72

**S-B-L 139.00-5-41.12                      145400 MARILLA**

Acct. No. 112                      \$0.00    County  
Acct. No. 132                      \$460.72    Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$460.72

**Charge To :                      145400 MARILLA                      \$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 16,250 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
IROQUOIS CENTRAL

**FISCAL YEAR 2006                      Petition No.                      206285**

ASSESSOR                      **Cancel**                      \$1,397.29

**S-B-L 20.00-3-15                      145689 NEWSTEAD**

Acct. No. 112                      \$0.00    County  
Acct. No. 132                      \$1,397.29    Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION                      \$0.00

**Charge To :                      145689 NEWSTEAD                      \$1,397.29**

**Relevy School                      \$1,397.29    145601 AKRON CENTRAL**

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 90,114 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C

**FISCAL YEAR 2006                      Petition No.                      206286**

ASSESSOR                      **Cancel**                      \$406.36

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 73.00-1-16.11 145689 NEWSTEAD**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$406.36	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$406.36</b>	
	<b>Relevy School</b>	\$406.36	143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 24,365 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206287**

ASSESSOR                      **Cancel**                      \$669.40

**S-B-L 73.00-2-14.11 145689 NEWSTEAD**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$669.40	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$669.40</b>	
	<b>Relevy School</b>	\$669.40	143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 40,136 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206288**

ASSESSOR                      **Cancel**                      \$450.63

**S-B-L 85.00-2-4./1 145689 NEWSTEAD**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$450.63	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$225.32	
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$225.31</b>	
	<b>Relevy School</b>	\$225.31	142001 ALDEN CENTRAL

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 56,800 AND THE AGED EXEMPTION IN THE AMOUNT OF 12,750 (50%) WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. ALDEN CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206289**

ASSESSOR                      **Cancel**                      \$560.43

**S-B-L 272.00-4-14.11 145889 NORTH COLLINS**

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$560.43	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>145889 NORTH COLLINS</b>	<b>\$560.43</b>	
	<b>Relevy School</b>	\$560.43	145801 NORTH COLLINS CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 30,000 (30%) WAS NOT APPLIED TO THE TAX ROLL FOR THIS PROPERTY. RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206290**

ASSESSOR                      **Cancel**                      \$395.90

**S-B-L** 152.09-2-25                      **146089 ORCHARD PARK**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$395.90	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>146089 ORCHARD PARK</b>	<b>\$395.90</b>	
	<b>Relevy School</b>	\$395.90	146801 WEST SENECA CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION WAS MISCALCULATED ON THE TAX ROLL. THE AGED EXEMPTION WAS 2,765 AND SHOULD BE 24,885. RPTL 550(2)B

**FISCAL YEAR 2006**                      Petition No.                      **206291**

ASSESSOR                      **Cancel**                      \$510.25

**S-B-L** 153.14-1-41                      **146089 ORCHARD PARK**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$510.25	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$510.25	
<b><u>Charge To :</u></b>	<b>146089 ORCHARD PARK</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,100 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
ORCHARD PARK CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206292**

ASSESSOR                      **Cancel**                      \$510.25

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**S-B-L 153.15-2-7**

**146089 ORCHARD PARK**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$510.25	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$510.25	
<b><u>Charge To :</u></b>	<b>146089 ORCHARD PARK</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,100 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 ORCHARD PARK

**FISCAL YEAR 2006**

Petition No. **206293**

ASSESSOR **Cancel** \$510.25

**S-B-L 161.20-1-4**

**146089 ORCHARD PARK**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$510.25	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$510.25	
<b><u>Charge To :</u></b>	<b>146089 ORCHARD PARK</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 20,100 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 ORCHARD PARK CENTRAL

**FISCAL YEAR 2005**

Petition No. **206294**

ASSESSOR **Refund** \$487.94

**S-B-L 172.03-1-3.111**

**146089 ORCHARD PARK**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$487.94	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$487.94	
<b><u>Charge To :</u></b>	<b>146089 ORCHARD PARK</b>	<b>\$0.00</b>	

REFUND - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 21,000 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 CHECK FOR: COLLEEN BRENNAN HAMBURG CENTRAL

**FISCAL YEAR 2006**

Petition No. **206295**





**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR 2006**                      Petition No.                      **206301**

ASSESSOR                      **Cancel**                      \$1,092.88

**S-B-L 135.08-1-11.1**                      **146800 WEST SENECA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,092.88	Town/SpecialDist/School
<b>Charge To :</b>	<b>146800 WEST SENECA</b>	<b>\$1,092.88</b>
<b>Relevy School</b>	\$1,092.88	146801 WEST SENECA CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 32,868 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206302**

ASSESSOR                      **Cancel**                      \$278.81

**S-B-L 135.14-3-74**                      **146800 WEST SENECA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$278.81	Town/SpecialDist/School
<b>Charge To :</b>	<b>146800 WEST SENECA</b>	<b>\$278.81</b>
<b>Relevy School</b>	\$278.81	146801 WEST SENECA CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 8,385 WAS APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C

**FISCAL YEAR 2006**                      Petition No.                      **206303**

ASSESSOR                      **Cancel**                      \$539.33

**S-B-L 143.12-8-4**                      **146800 WEST SENECA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$539.33	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$539.33	
<b>Charge To :</b>	<b>146800 WEST SENECA</b>	<b>\$0.00</b>

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 16,220 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 WEST SENECA CENTRAL

**FISCAL YEAR 2006**                      Petition No.                      **206304**

ASSESSOR                      **Cancel**                      \$1,021.13

**S-B-L** 143.09-2-18                      **146800 WEST SENECA**

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$1,021.13                      Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION                      \$1,021.13

**Charge To :**                      **146800 WEST SENECA**                      **\$0.00**

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 30,710 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 WEST SENECA CENT

**FISCAL YEAR 2005**                      Petition No.                      **206305**

ASSESSOR                      **Refund**                      \$550.07

**S-B-L** 143.14-3-27                      **146800 WEST SENECA**

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$550.07                      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$550.07

**Charge To :**                      **146800 WEST SENECA**                      **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 17,030 WAS NOT APPLIED TO THE TAX ROLL FOR THIS PARCEL. RPTL 550(2)C  
 CHECK FOR: PAUL & MERTIS SHEEHAN                      WEST SENECA CEN

**FISCAL YEAR 2006**                      Petition No.                      **206306**

ASSESSOR                      **Cancel**                      \$190.86

**S-B-L** 144.17-3-19                      **146800 WEST SENECA**

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$190.86                      Town/SpecialDist/School





CARRIED UNANIMOUSLY.

RESOLUTION NO. 292

OCTOBER 5, 2006

PUBLIC SAFETY COMMITTEE  
 REPORT NO. 11

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 23E-18 (2006)  
**SHERIFF:** Commission of Corrections - Variance No. 04-T-05 (Modified), Variance No. 01-V-08 (Revoked) (4-0)
- b. COMM. 23E-45 (2006)  
**SHERIFF:** Letter to County Executive & Kuwik Re: NYS COC Revocation of Inmate Housing Variances (4-0)
- c. COMM. 15E-7 (2006)  
**COMPTROLLER:** Copy of Letter to CPS Commissioner Re: Audit of Homeland Security Funding/Expenditures (4-0)

2. COMM. 13E-18 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Weapons of Mass Destruction (WMD) Task Force has provided funding in the amount of \$575,293 in Federal assistance for the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations, and

WHEREAS, Legislative Resolution dated December 11, 2003, (Comm. 6E-20) authorized a grant in the amount of \$575,293 in Federal resources to implement the training, exercising, and evaluation of First Responders capabilities to deal with chemical, biological, radiological, nuclear, and explosive (CBRNE) incidents, and

WHEREAS, exercise design, implementation and training has been conducted by Emergency Services staff, and

WHEREAS, the grant has funded the cost of equipment, supplies, travel, and other expenses involved with this program, and

WHEREAS, the funds from the New York State Weapons of Mass Destruction Task Force have been utilized to meet the goals and objectives of the program, and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the grant program budget in SAP needs to be re-adjusted to meet the re-allocations that have been granted by the grantor.

NOW, THEREFORE, BE IT

RESOLVED, that the grant be adjusted to reflect the revised contract with New York State Division of Criminal Justice Services so that exercise design, implementation and training that has been conducted by the Department of Central Police Services/Emergency Services staff can be reflected properly in the SAP system, and be it further

RESOLVED, that the proper equipment, supplies, travel, and other expenses will be covered under this grant, and be it further

RESOLVED, that the following budgetary accounts be revised in order to complete the grant program:

**Department of Homeland Security**  
**Homeland Security Exercise and Evaluation Program (HSEEP) Grant**

<b>Revenue</b>	<b>Present Legislation</b>	<b>Proposed Revision</b>	<b>New Revised Grant</b>
SFG684-SAP414010 Federal Aid-Other	<u>\$575,293.</u>	<u>\$ 0</u>	<u>\$575,293.</u>
Total Revenue	\$575,293	\$ 0	\$575,293
 <b>Expenses</b>			
SAP500000 Personnel	\$163,248.	\$ + 6,583.74	\$169,831.74
SAP501000 Overtime	9,048.	+ 5,934.16	14,982.16
SAP502000 Fringe Benefits	37,336.	+ 19,323.91	56,659.91
SAP505000 Office Supplies	40,000.	- 15,891.91	24,108.09
SAP506200 Maintenance & Repair	0	+ 396.72	396.72
SAP505200 Protective Clothing	2,936.	- .08	2,935.92
SAP510100 Out of Area Travel	65,000.	- 7,953.42	57,046.58
SAP530000 Other Expenses	57,500.	- 2,142.75	55,357.25
SAP516020 Contractual Svces.	35,000.	+ 4,308.77	39,308.77
SAP561410 Lab and Tech. Equipment	<u>165,225.</u>	<u>- 10,559.14</u>	<u>154,665.86</u>
<b>Total Expenses</b>	\$575,293.	\$ 0	\$575,293.00

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget, Management and Finance, the Department of Personnel, the Department of Central Police Services/Emergency Services, County Comptroller, and the County Attorney.

(4-0)

3. COMM. 14E-22 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the STOP-DWI Office has established Go Safe!, a cooperative effort with the hospitality and taxi industry that provides a sustainable alternative to drunken driving by offering free taxi rides to patrons of participating establishments, and

WHEREAS, GoSafe! has removed over 2700 potential drunken drivers from Erie County Roads and has provided for over 800 future rides when needed, and

WHEREAS, Go Safe! is endorsed by Erie County Mothers Against Drunk Driving (MADD), and

WHEREAS, the County Attorney has recommended the purchase of a Liability Policy to protect county taxpayers from potential litigation and liability costs, and

WHEREAS, a policy, from Capital Specialty Insurance Company, has been identified by the County's insurance consultants, and

WHEREAS, unbudgeted interest earnings, in excess of \$6,000, are available in the STOP DWI Cost Center, and

WHEREAS, under New York State Law, these unbudgeted interest earnings may only be used in the County's STOP-DWI Program.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are authorized to amend the budget of the STOP-DWI Office in order to purchase the insurance policy

**CENTRAL POLICE SERVICES**

Cost Center #1650060

WBS Element #SDWI

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. #555050 Insurance Premiums	\$ 0	\$ 6,000	\$6,000
<u>REVENUES</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. #445030 Interest & Earnings	\$ 0	\$ 6,000	\$6,000

and, be it further

RESOLVED, that in order to mitigate the risks associated with GoSafe, the STOP-DWI Office is authorized to purchase a general liability policy, from Capital Specialty Insurance Company, with limits of \$1 million per incident and \$2 million aggregate, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, Central Police Services, the Office of the Comptroller, Division of Budget and Management, the Law Department, and the STOP-DWI Office.  
(4-0)

4. COMM. 17E-12 (2006)

**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the New York State Emergency Management Office to update Erie County’s emergency planning activities, and

WHEREAS, these funds will be used to update local emergency planning activities.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Department of Central Police/Emergency Services, is hereby authorized to enter into contract with the New York State Emergency Management Office, and to accept \$2,000 awarded by them to update local emergency planning activities, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to establish a eighth grant which will assist in updating local emergency planning for the Department of Central Police/Emergency Services and the Local Emergency Planning Committee.

**Grant Fund Department #1670030  
Department of Central Police/Emergency Services  
HMTUSA Grant Phase VIII**

**Revenue**

414010 - Federal Aid – Other	<u>\$2000</u>
<b>TOTAL</b>	<b>\$2000</b>

**Appropriations**

505000 – Office Supplies	\$ 700
516020 – Personal Service Contracts and Fees	\$1000
530000 – Other Expenditures	<u>300</u>
<b>TOTAL</b>	<b>\$2000</b>

And be it further

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, Division of Budget, Management and Finance, the Office of the Comptroller and the Department of Central Police/Emergency Services.  
 (4-0)

**DANIEL M. KOZUB**  
**CHAIRMAN**

Item 41 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 293

OCTOBER 5, 2006

ENERGY & ENVIRONMENT COMMITTEE  
 REPORT NO. 15

ALL MEMBERS PRESENT. CHAIRMAN MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-18 (2006)  
**COUNTY EXECUTIVE:** STSTA - Engineer Term Agreement - DiDonato Associates -  
 Work Order: DA-7  
 (5-0)
  - b. COMM. 17M-1 (2006)  
**VILLAGE OF NORTH COLLINS:** Certified Resolution Re: Merger W/ ECSD No. 2  
 (5-0)

2. COMM. 17E-16 (2006)  
**COUNTY EXECUTIVE**  
 WHEREAS, the Towns of Amherst, Tonawanda, and Cheektowaga, including the Villages located therein, and Erie County receive over \$6,000,000 annually in federal Community Development Block Grant funds; and

WHEREAS, an important element for receiving federal funds is an Analysis of Impediments to Fair Housing Choice within recipient municipalities; and

WHEREAS, the aforementioned local governments and Erie County are desirous of conducting a joint Analysis of Impediments to Fair Housing Choice consistent with federal guidelines; and

WHEREAS, based on results from a Request for Proposal process conducted by the Department of Environment and Planning, the County Executive is desirous of executing a contract for an amount not to exceed \$65,000 with the University at Buffalo Foundation; and

WHEREAS, funds for the Analysis will be federal Community Development Block Grant (CDBG) monies available to each municipality with contributions shown as follows:

• \$36,500	–	Erie County
• \$ 9,500	–	Town of Amherst
• \$ 9,500	–	Town of Tonawanda
• <u>\$ 9,500</u>	–	Town of Cheektowaga
<u>\$65,000</u>	–	Total

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract with the University at Buffalo Foundation in an amount not to exceed \$65,000 for the purpose of carrying out an Analysis of Impediments to Fair Housing Choice within those municipalities comprising the Erie County Block Grant Consortium, Towns of Amherst, Cheektowaga, and Tonawanda and Villages therein; and be it further

RESOLVED, that the County Executive is further authorized to execute contracts with the Towns of Amherst, Tonawanda, and Cheektowaga for the purpose of receiving \$9,500 from each municipality for completion of said Analysis; and be it further

RESOLVED, that \$36,500 in Erie County CDBG monies is available in SAP Account J.00506.1.8 for said Analysis; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the Director of the Division of Budget, Management, and Finance; and the County Attorney.  
 (5-0)

3. COMM. 17E-17 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie and the Village of Orchard Park have investigated the most efficient and effective provisions for the future sanitary sewer services for the residents of the Village; and

WHEREAS, the results of these investigations show that the most effective and efficient means of providing future sanitary sewer service to the ratepayers of the Village of Orchard Park entails a merger of the Village sewer system into Erie County/Erie County Sewer District No. 3; and

WHEREAS, to effectuate the merger, the sanitary sewer assets of the Village must be transferred to the County; and

WHEREAS, the Erie County Legislature desires to see the economies of scale savings and cost avoidance be realized in Erie County Sewer District No. 3; and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Legislature desires to see Village residents realize the most efficient and effective sanitary sewer service.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and directed to immediately enter into negotiations with the Village of Orchard Park for an intermunicipal agreement to transfer said sanitary sewer assets to Erie County/Erie County Sewer District No. 3; and be it further

RESOLVED, that the County Executive be authorized to execute an intermunicipal agreement to transfer the Village's sanitary sewer assets to Erie County/Erie County Sewer District No. 3 subject to approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of the Resolution to Thomas J. Whetham, P.E., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy each to the County Executive; the County Comptroller; Gregory J. Dudek, Assistant County Attorney; and the County Director of Budget, Management and Finance.

(5-0)

4. **COMM. 17E-19 (2006)**  
**COUNTY EXECUTIVE**

WHEREAS, Erie County/Erie County Sewer District No. 6 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Wilmuth Pumping Station Trash Racks Project and identified as CWSRF Project NO. 6650-11, (Capital Project No. C.00064), herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the CWSRF Act), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the state of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund, and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, The CWSRF Act authorizes the establishment of a program or planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY THE ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.

2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The County Executive  
 (Authorized Representative)

The Erie County Comptroller  
 (Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.

4. That the Clerk of the Legislature be directed to send one certified copy of this Resolution to the County Executive; one certified copy to the Erie County Comptroller; one certified copy to Gregory Dudek, Assistant County Attorney and two (2) certified copies to Thomas J. Whetham, P.E., Department of Environment and Planning.

5. This Resolution shall take effect immediately.

(5-0)

5. **COMM. 17E-20 (2006)**  
**COUNTY EXECUTIVE**

WHEREAS, the 2006 Budget for Erie County Sewer District No. 1 has insufficient funds budgeted in the NYSEFC Account for payment of Administrative Fees mandated by NYSEFC; and

WHEREAS, funds need to be transferred in the 2006 Operating Budget for payment of the above fees due in 2006; and

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, when the 2006 Budget was prepared, the NYSEFC borrowing had not taken place until after the budget submittal and said budgeted funds were already approved and in place; and

WHEREAS, the 2006 Budget for Erie County Sewer District No. 3/Southtowns Sewage Treatment Agency and Erie County Sewer District Nos. 2 and 6 have insufficient funds budgeted in the Utilities and Automotive, Truck and Heavy Equipment accounts to pay for utilities, gas and diesel fuel purchases for the balance of 2006; and

WHEREAS, there are sufficient funds in the Contractual Services Account in Erie County Sewer District Nos. 2 and 3/Southtowns Sewage Treatment Agency and the Maintenance and Repairs Account in Erie County Sewer District No. 6 to enable a transfer to the Automotive, Truck and Heavy Equipment Account to cover the cost of gas and diesel fuel purchases to the remainder of 2006; and

WHEREAS, there is sufficient fund balance available in Erie County Sewer District Nos. 2, 6 and Southtowns Sewage Treatment Agency.

NOW, THEREFORE, BE IT

RESOLVED, that the following amounts be transferred from each respective account in the Sewer Operating Fund by the Budget Office as follows:

			<u>Amount</u>	<u>Increase</u>	<u>Decrease</u>
<u>EFC Administrative Fees</u>					
ECSD No. 1	220	18110	\$ 6,100	550500	506200
<u>Automotive Expense</u>					
ECSD No. 2	220	18210	\$10,000	505600	516020
ECSD No. 3/ Southtowns	220	18310	\$25,000	505600	516020
ECSD No. 6	220	18610	\$15,000	505600	516030
			Increase Use of Fund Balance		Increase Utilities
<u>Utilities Expense</u>			<u>402190</u>		<u>515000</u>
ECSD No. 2	220	18210	\$100,000		\$100,000
ECSD No. 3/					

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Southtowns	220	18310	\$450,000	\$450,000
ECSD No. 6	220	18610	\$ 10,000	\$ 10,000

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Thomas J. Whetham, P.E., Deputy Commissioner, Department of Environment and Planning.

(5-0)

6. COMM. 17E-21 (2006)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie and the Village of North Collins have investigated the most efficient and effective provisions for the future sanitary sewer services for the residents of the Village; and

WHEREAS, the results of these investigations show that the most effective and efficient means of providing future sanitary sewer service to the ratepayers of the Village of North Collins entails a merger of the Village sewer system into Erie County/Erie County Sewer District No. 2; and

WHEREAS, to effectuate the merger, the sanitary sewer assets of the Village must be transferred to the County; and

WHEREAS, the Erie County Legislature desires to see the economies of scale savings and cost avoidance be realized in Erie County Sewer District No. 2; and

WHEREAS, the Erie County Legislature desires to see Village residents realize the most efficient and effective sanitary sewer service.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and directed to immediately enter into negotiations with the Village of North Collins for an intermunicipal agreement to transfer said sanitary sewer assets to Erie County/Erie County Sewer District No. 2; and be it further

RESOLVED, that the County Executive be authorized to execute an intermunicipal agreement to transfer the Village's sanitary sewer assets to Erie County/Erie County Sewer District No. 2 subject to approval as to form by the County Attorney's office; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of the Resolution to Thomas J. Whetham, P.E., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy each to the County Executive; the County Comptroller; Gregory J. Dudek, Assistant County Attorney; and the County Director of Budget, Management and Finance.

(5-0)

7. COMM. 17E-22 (2006)

**COUNTY EXECUTIVE**

WHEREAS, the United States Environmental Protection Agency (USEPA) has determined that radon and other indoor air contaminants are significant threats to public health; and

WHEREAS, the United States Surgeon General has identified radon gas to be the second leading cause of lung cancer in the United States; and

WHEREAS, the USEPA has identified Erie County and Western New York as a Zone 1 Radon Potential Area (highest risk); and

WHEREAS, Erie County has successfully established and operated a Radon/Indoor Air Quality Awareness Program for over ten years and has acquired valuable experience and expertise; and

WHEREAS, the objective of this Program is to reduce the health and safety risks associated with exposure to radon and other residential indoor air contaminants to the residents of Western New York; and

WHEREAS, the New York State Department of Health (NYSDOH) has solicited Erie County to continue its coordination of a partnership of Western New York Counties and Tribal Lands for cooperative and coordinated Radon/Indoor Air Quality Programs and to implement a comprehensive Radon Risk Reduction Program; and

WHEREAS, the NYSDOH has provided funding for the Erie County Radon/Indoor Air Quality Program for over ten years; and

WHEREAS, Erie County has received \$53,172 in supplemental Tribal Community Reducing Toxic Air Pollutants Project (162TRIBECOMM0507) funding; and

WHEREAS, Erie County received notification of award from the NYSDOH on March 23, 2006, for an additional \$46,000 in grant funding to extend the State Indoor Radon Grant Program (SIRG 11); and

WHEREAS, the additional grant funding will extend the SIRG Program through June of 2007; and

WHEREAS, the current budget requires revision to maintain program continuity and allow the County to most efficiently utilize the additional grant resources.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to execute a contract extension and accept funds in the amount of \$46,000 from the NYSDOH for the continuation of the SIRG 11 Program, and be it further

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the grant budget for the Erie County SIRG 11 Program will be revised as follows:

REVENUES:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
407500	State Aid – New York State DOH	\$ 110,000.00	\$46,000.00	\$156,000.00
422010	Minor Sales – Radon Testing Kits	12,325.00	0	12,325.00
466100	Other Revenue – Grant Program	<u>7,076.87</u>	<u>(7,076.87)</u>	<u>0</u>
TOTAL REVENUE:		\$129,401.87	\$38,923.13	\$168,325.00

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
500000	Personnel/Salaries	\$ 81,000.00	\$63,750.00	\$144,750.00
502000	Fringe Benefits	36,700.00	28,345.13	65,045.13
505800	Supplies (Medical and Health)	8,926.87	0	8,926.87
510100	Travel (Local Mileage)	1,075.00	0	1,075.00
516020	Professional Services Dues/Fees	750.00	0	750.00
545000	Rental	250.00	0	250.00
561410	Equipment (Lab & Tech)	700.00	0	700.00
916290	ID DEP Grant		(53,172.00)	(53,172.00)
TOTAL		\$129,401.87	\$38,923.13	\$168,325.00

APPROPRIATIONS:

and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to implement any budget adjustments as required to comply with Federal and State approved funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the Director of Budget, Management and Finance; Andrew M. Eszak, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

(5-0)

8. COMM. 17E-23 (2006)  
**COUNTY EXECUTIVE**

WHEREAS, the United States Environmental Protection Agency (USEPA) provides grant assistance to implement air quality education and outreach initiatives; and

WHEREAS, Erie County has successfully conducted a model Indoor Air Quality (IAQ) Program since 1988; and

WHEREAS, representatives from regional Native American population centers have expressed interest in developing a program to minimize risks associated with toxic air pollutants and to utilize Erie County’s expertise in indoor air quality, commercial environmental assistance, and the collection of household hazardous waste; and

WHEREAS, the USEPA has awarded the Erie County Department of Environment and Planning (ECDEP) a grant in the amount of \$67,122 to establish a two-year program to implement a multifaceted risk reduction effort for indoor and outdoor air pollutants; and

WHEREAS, a budget revision is necessary to effectively utilize the Project funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Environment and Planning is hereby authorized to make the necessary changes to the Erie County Tribal Community Reducing Toxic Air Pollutants Project budget to effectively utilize the grant funding, and be it further

RESOLVED, that the existing budget will be revised as follows:

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
916200	ID Environment and Planning Services	\$53,172	0	\$53,172
505000	Office Supplies	7,950	(7,950)	0
510000	Local Mileage	1,000	0	1,000
516020	Professional Service Contract & Fees	5,000	7,950	12,950
<b>TOTAL APPROPRIATIONS</b>		<b>\$67,122</b>	<b>0</b>	<b>\$67,122</b>

and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to implement any budget adjustments as required to comply with Federal and State approved funding requirements; and be it further

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget, Management and Finance; Andrew M. Eszak, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

(5-0)

**THOMAS J. LOUGHRAN**  
**CHAIRMAN**

**LEGISLATORS RESOLUTIONS**

Item 42 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 294

RE: Parks, Recreation & Forestry Dept. - Active Management Program, Ceasing All Logging Operations in the Erie County Forest and Reworking Logging Program (INTRO 18-1)

**A RESOLUTION TO BE SUBMITTED BY**  
**LEGISLATORS LOUGHRAN, KOZUB, WHYTE, MILLS AND KONST**

MS. WHYTE moved to amend the item. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

ADD the following as Co-Sponsors: HOLT, IANNELLO, LOCKLEAR, MARINELLI, MAZUR, REYNOLDS, SMITH, RANZENHOFER and WEINSTEIN.

MS. WHYTE moved to approve the item as amended.

CARRIED UNANIMOUSLY.

Item 43 – MS. WHYTE moved to reconsider INTRO 18-1. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to further amend the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

ADD the following:

WHEREAS, In March 2003, the administration of Erie County Executive Joel A. Giambra presented a Parks Department Master Plan that included an initiative to institute an “Active Forest

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Management Program” for the 3,100 acres of County-owned land located in the Towns of Boston, Concord, Holland and Sardinia in southern Erie County; and

WHEREAS, Objectives of the Active Forest Management Program (Forest Program) were “creating educational and economic opportunities for taxpayers, community groups, and educators; utilizing the Woodlands Environmental Education Center and certain Lots for scientific experiments in ecology and forestry; putting forest products to good use in County departments, and for public use; reducing taxes through profits from sales of lumber products; providing for water resources protection, wildlife habitat enhancement and fire protection; and encouraging/enhancing recreational use;” and

WHEREAS, The Forest Program listed its primary objective as “creating sustainable forests in Erie County for the 21<sup>st</sup> Century,” and included establishing new revenue for Erie County from the sale of felled trees for firewood and the “selective harvesting of timber on a scheduled basis to produce moderate income over a long period of time” for Erie County from logging operations; and

WHEREAS, The Four Year Fiscal Plan mandated by the Erie County Fiscal Stability Authority included the sale of forest products as an initiative that projected net new revenues for Erie County of \$120,000 in 2006, \$239,000 in 2007, \$244,000 in 2008, and \$250,000 in 2009; and

WHEREAS, Additionally, the Department of Parks, Recreation and Forestry has included in its 2006 adopted budget revenue projections of \$490,600 in profits from the sale of forest products, well above the \$120,000 projected in the Four Year Plan; and

WHEREAS, As of October 5, 2006, actual revenue netted by Erie County from the sale of forest products total \$213,867, well below the \$490,600 budgeted, and on track to result in a budget shortfall of \$276,733 for the Parks, Recreation and Forestry Department; and

WHEREAS, The Forest Program’s logging operations currently are in “Phase One,” which essentially is a demonstration project with the objective of removing felled trees, and thinning/harvesting forests on Forest Lots 3 and 7, a small portion of the overall 3,100 acres of the Erie County Forest; and

WHEREAS, The Parks, Recreation and Forestry Department has indicated their intent to begin planning for “Phase Two” and expand logging to include additional Forest Lots with the submission to this Legislature of Communication 14E-11, currently before the Energy & Environment Committee; and

WHEREAS, “Phase One” of logging has generated considerable controversy; among the environmental and conservation communities, elected representatives in the communities most affected by logging operations, residents who reside within close proximity to Forest Lots 3 and 7, complaints concerning transparency and openness in the process that led to the Forest Program, and the utilization of the State Environmental Quality Review Act (SEQRA), the preparation of an environmental impact statement and submission of a statement called a “Positive Declaration,” which relates to the logging operations and any possible “significant adverse impact” resulting from such an endeavor; and

WHEREAS, Representatives from the environmental and conservation communities further voiced concerns that any additional forest management planning includes consideration of the option of no management of the Erie County Forest, due to the forest’s economic value for education, recreation, tourism, animal habitat, soil and water conservation and carbon sequestration; all of which values are diminished if even sustainable harvesting becomes the forest objective, in their view; and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, The Forest Program itself was the subject of a review by the Office of Erie County Comptroller, which highlighted 17 major deficiencies, including findings critical of the Request for Proposals process, lack of accountability in the cutting of trees and auction of timber, possible conflicts of interest among contractors, along with concerns about an expected shortfall for the 2006 adopted budget of the Parks, Recreation and Forestry Department due to an overestimate in the amount of profits from the sale of forest products; and

WHEREAS, "Phase One" of logging operations was the subject of considerable review by this Legislature's Energy & Environment Committee, which conducted a tour of Forest Lots 3 & 7 with concerned citizens, the Erie County Forester, and representatives from the firm contracted to implement logging operations; was the subject of a number of discussions at meetings of the Energy & Environment Committee, and was the subject of a lengthy hearing conducted at the October 5, 2006 meeting of the Energy & Environment Committee during the consideration of Comm. 14E-11, at which time all stakeholders involved were given an opportunity to review "Phase One" of logging operations, and to express their views concerning the proposed planning for "Phase Two" of logging; and

WHEREAS, During these discussions a consensus has emerged among most stakeholders, that instituting a Forest Program for the Erie County Forest is sound and proactive public policy, and that although the program's forest management strategies including the removal of felled trees and the scheduled harvesting of selective trees to encourage new growth and habitat enhancement is environmentally sound, logging operations contained within the Forest Program are seriously troubled and call for Legislative redress.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby go on record in support of an Active Forest Management Program for the Erie County Forest, located in the Towns of Boston, Concord, Holland and Sardinia; and be it further

RESOLVED, That this Legislature acknowledges the spirit in which the Erie County Parks, Recreation and Forestry Department aimed to improve the Erie County Forest through the development of a Forest Program, including the intent to create many opportunities for the utilization of the forest for positive activities for residents, the utilization of forest products for County and public use, the savings of tax dollars by the sale of forest products, and the clearing of felled trees and the scheduled harvesting of selective trees to encourage new growth and habitat enhancement, among other objectives; and be it further

RESOLVED, That this Legislature also acknowledges that with a number of opportunities for public dialogue provided by this Legislature's Energy & Environment Committee, a clear consensus has emerged that while the Forest Program was well-intended, that the planning, implementation and accountability of the program and "Phase One" of the plan's logging operations are problematic; and be it further

RESOLVED, That this Legislature further acknowledges that with serious concerns highlighted in a review by the Office of Erie County Comptroller, alarm voiced by the environmental and conservation communities, opposition of elected representatives and residents in the communities affected by logging operations, and questions concerning the proper utilization of the State Environmental Quality Review Act (SEQRA), there was unanimous support among members of the Energy & Environment Committee, and also by non-committee members present at a hearing to review

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

“Phase One” and consider advancing “Phase Two,” that members unanimously wanted logging operations to stop; and be it further

RESOLVED, That this Legislature hereby instructs the Parks, Recreation and Forestry Department to immediately issue the necessary contractual fourteen-day notice to Hillview Logging Inc., its subcontractors and/or any other entity or entities involved, to stop logging at Erie County Forest Lots 3 and 7, and/or any other Erie County Forest Lots where logging is being conducted, in accordance with provisions for ending a contract between the County of Erie and Hillview Logging Inc., signed on October 8-9, 2005, and recently amended without proper authorization of this Legislature; and be it further

RESOLVED, That this Legislature further instructs the Parks, Recreation and Forestry Department to work with this Legislature and direct that Hillview Logging Inc. stop logging immediately and thereby waive the fourteen-day contractual language so that a gesture of good will can be demonstrated, and that the Parks, Recreation and Forestry Department further work with this Legislature and instruct Hillview Logging Inc. to leave the Erie County Forest in good condition and with respect for the environment and surrounding communities; and be it further

RESOLVED, That this Legislature additionally instructs the Parks, Recreation and Forestry Department to work with this Legislature’s Energy & Environment Committee to begin anew “Phase Two” of the Forest Program’s logging operations with the intent to provide full transparency and openness, achieve consensus among stakeholders, full utilization and adherence to the SEQRA process with consideration for all environmental and conservation concerns, and a full environmental impact statement should the SEQRA process indicate one is necessary; and be it further

RESOLVED, That this Legislature also instructs the Parks, Recreation and Forestry Department to include language in any “Phase Two” planning to consider a variety of management options for the Erie County Forest, ranging from zero management, up to a sustainable timber production option; and be it further

RESOLVED, That this Legislature further instructs the Parks, Recreation and Forestry Department to ensure that any lead agency chosen for “Phase Two” of the Forest Program’s logging operations must prepare and file a notice known as a “Positive Declaration” in the SEQRA process to safeguard communities affected, as well as the environment, concerning any adverse impact that may result from “Phase Two” logging operations; and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Joel A. Giambra; the Erie County Parks, Recreation and Forestry Department; the Erie County Department of Law, and the Office of the Erie County Comptroller.

MS. WHYTE moved to approve the item as amended.

MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 44 – MS. WHYTE presented the following item and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 295

RE: Status of the Return of Health Department  
Fees (INTRO 18-2)

**A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
LOCKLEAR, MARINELLI, WHYTE,  
IANNELLO, KOZUB, KONST and LOUGHRAN**

WHEREAS, on June 8, 2006 this Honorable Body passed Resolution No. 9-1 which provides for a waiver of the Health Department's fees for a "temporary food permit" for charitable, religious and other organizations; and

WHEREAS, the "temporary food permit" fees were waived because this Honorable Body determined that the fees caused an unnecessary and undue hardship on small not-for-profit organizations that primarily hold one-day fundraisers to support their charitable efforts in our community; and

WHEREAS, in addition to waiving the health department fees, Resolution No. 9-1, as amended, mandates that all fees paid pursuant to Section 11 of the Sanitary Code must be returned to the community organizations that paid such fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Health Department come to the next scheduled meeting of the Health Committee and provide the Legislature with the following information:

- the names of all exempted organizations that paid the "temporary food permit" fee;
- the names of all organizations that have requested a refund of the fee;
- the status of all requested refunds;

and be it further

RESOLVED, that the Clerk of the Erie County Legislature send a certified copy of this Resolution to the County Executive and the Erie County Health Department.

MS. WHYTE moved to amend the item for Et Al Sponsorship. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved to further amend the item. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

DELETE the first two (2) RESOLVED Clauses in their entirety and REPLACE with the following:

RESOLVED, that the Erie County Health Department and Comptroller's Office come to the next scheduled meeting of the Health Committee and provide the Legislature with the following information:

- The names of all exempted organizations that paid the "temporary food permit" fee;
- The names of all organizations that have requested a refund of the fee;
- The status of all requested funds;

and be it further

RESOLVED, that the Clerk of the Erie County Legislature send a certified copy of this Resolution to the County Executive, the Erie County Health Department and the Erie County Comptroller's office.

MS. WHYTE moved to approve the item as amended. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

Item 45 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 296

RE: Fair Share of Transportation Funding  
(INTRO 18-3)

**A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
KENNEDY, MARINELLI, WHYTE, IANNELLO,  
LOUGHRAN and KONST**

WHEREAS, according to research conducted by the New York State Energy Research and Development Authority, Erie County consumes 6.62% of the gasoline which is sold in New York State; and

WHEREAS, Erie County pays 6.62% of New York State's federal gasoline tax, which is assessed at the refinery; and

WHEREAS, the federal gasoline tax is returned to each state through several programs, one of which is the Highway Bridge Rehabilitation and Replacement Program; and

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, Erie County constitutes approximately 5% of the population of New York State; and

WHEREAS, over the last nine years, Erie County has received an average of only 1.54% of the federal bridge funding apportioned to New York State under the Highway Bridge Rehabilitation and Replacement Program, not 6.62%, which would be commensurate with our contributions to the program, or 5%, which would be commensurate with our population; and

WHEREAS, as a result of only receiving an average 1.54% of the Highway Bridge Rehabilitation and Replacement Program funds over the past nine-years, Erie County has lost approximately \$158 million of funding which could have been used to improved the County's infrastructure; and

WHEREAS, this disparity is part of a larger pattern, exemplified by the funding made available for local projects in the recent State Transportation Bond Act, which set aside only 2.87% for Erie County projects, also well short of the 5% the County should expect by virtue of its population.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of Erie County hereby memorializes Governor George Pataki and New York State Commissioner of Transportation Thomas Madison that we seek that this disparity be addressed; and be it further

RESOLVED, that the Legislature of Erie County seeks that a sum of \$158 million be directed by the New York State Department of Transportation to bridge projects in Erie County - an amount equal to the amount by which Erie County and its constituent municipalities have been shortchanged over the past nine years; and be it further

RESOLVED, that the Legislature of Erie County seeks that in the future, HBRR funding be distributed in an equitable manner, and that we receive our fair share; and be it further

RESOLVED, that the Legislature of Erie County seeks to see the \$158 million in overdue funding be directed toward the construction of a new bridge or bridges linking downtown Buffalo to Buffalo's Outer Harbor, said bridge being necessary before meaningful private-sector development can occur at the Outer Harbor, and that it be used to address the serious lag in bridge maintenance and replacement throughout the various cities, towns and villages of Erie County; and be it further

RESOLVED, that the clerk of the Legislature shall forward certified copies of this resolution to the Governor of the State of New York, the Commissioner of the State Department of Transportation, and Western New York's State and Federal delegations.

MS. WHYTE moved to amend the item by including Et Al Sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the item as amended. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 46 – MS. WHYTE moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of COMM. 17E-9. MR. HOLT seconded. MR. KENNEDY voted in the negative.

CARRIED. (14-1)

RESOLUTION NO. 297

RE: Legal Aid Bureau Funding

WHEREAS, the Legal Aid Bureau has been assigned to represent sexual offenders on their Sex Offender Registration Act appeals, and

WHEREAS, State Aid funding has already been received by Erie County to help cover the cost of the representation,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the Erie County Executive to amend the 2006 indigent defense services contract with the Legal Aid Bureau in order to provide funding in the amount of \$39,144 to offset the cost of providing indigent defense services for sexual offender appeals, and be it further

RESOLVED, that authorization is hereby provided to adjust the Erie County 2006 Budget as follows:

**Office of the District Attorney - Fund Center 11400**

<b>Revenue</b>	<b>Account</b>	<b>Increase</b>
409010	State Aid	\$39,244

**County Attorney – Fund Center 16010**

<b>Expense</b>	<b>Account</b>	<b>Increase</b>
516020	Legal Aid Bureau	\$39,244

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the District Attorney, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

MS. WHYTE moved to amend the item. MR. MAZUR seconded. MR. KENNEDY voted in the negative.

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

CARRIED. (14-1)

**DELETE** the 7<sup>th</sup> and 8<sup>th</sup> line of the 2<sup>nd</sup> **RESOLVED** clause and **REPLACE** with the following:

<b>Expense</b>	<b>Account</b>	<b>Increase</b>
516010	Legal Aid Bureau	\$39,244

MS. WHYTE moved to approve the item as amended. MR. MAZUR seconded. MR. KENNEDY voted in the negative.

CARRIED (14-1)

Item 47 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of COMM. 9E-16. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 298

RE: STSTA - Contract No. 9UST - Fuel Tanks  
Replacement - Bid Opening

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Southtowns Sewage Treatment Agency, Underground Storage Tank (UST) Replacement at Southtowns Sewage Treatment Plant, Contract 9UST on August 23, 2006.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 9UST	L & O Mechanical Contractors, Inc. 786 Brooks Avenue Rochester, New York 14619	\$384,771.00

and

WHEREAS, the aforementioned lowest responsible bidder has been recognized as successfully performing similar work.

NOW, THEREFORE, BE IT

RESOLVED, that the Underground Storage Tank (UST) Replacement at Southtowns Sewage Treatment Plant, Contract 9UST be awarded to the lowest responsible bidder as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 9UST	L & O Mechanical Contractors, Inc. 786 Brooks Avenue Rochester, New York 14619	\$384,771.00

And be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$384,771.00 from Erie County Southtowns Sewage Treatment Agency, Capital Account No. C.00067, for Contract 9UST; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy of this resolution to County Executive Joel Giambra; two (2) certified copies to Thomas J. Whetham, P.E., Department of Environment and Planning; one certified copy to Gregory Gach, Erie County Comptroller's Office and one certified copy to Gregory Dudek, Assistant Erie County Attorney.

MS. WHYTE moved to approve the item. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 48 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of COMM. 14E-25. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 299

RE: Bond Reso - Urban Brownfields  
Development Project at Union Ship Canal

MS. WHYTE moved to amend the item. MR. KOZUB seconded.

CHAIRMAN MARINELLI directed that a roll-call vote be taken.

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, REYNOLDS, SMITH and WHYTE. (AYES: 15; NOES: 0)

CARRIED.

RESOLUTION NO. 299-2006

BOND RESOLUTION DATED OCTOBER 12, 2006

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AMENDING THE BOND

RESOLUTION ADOPTED JULY 3, 2003, AUTHORIZING VARIOUS INFRASTRUCTURE

IMPROVEMENTS FOR THE URBAN BROWNSFIELDS DEVELOPMENT PROJECT AT THE

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

UNION SHIP CANAL SITE IN THE CITY OF BUFFALO, AT THE ESTIMATED COST OF \$8,000,000.

(Introduced) July 25, 2006

(Adopted) October 12, 2006

Recitals

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly authorized the acquisition and construction of various infrastructure improvements for the Urban Brownsfields Development Project at the Union Ship Canal Site, in the City of Buffalo, at the estimated maximum cost of \$2,000,000, which amount was appropriated therefore pursuant to Resolution No. 466-2003 duly adopted on July 3, 2003, and it has now been determined that it is necessary to increase the appropriation for such project by \$6,000,000 for the application of state and federal grant aid to be used to fund additional costs of such infrastructure improvements, at a revised estimated maximum cost of \$8,000,000;

NOW THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE,  
NEW YORK (by the favorable vote of not less than two-thirds of all members of said Legislature)  
AS FOLLOWS:

**Section (A).** The bond resolution of said County duly adopted by the County Legislature on July 3, 2003, entitled:

“RESOLUTION NO. 466-2003

BOND RESOLUTION DATED JULY 3, 2003

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK,

AUTHORIZING VARIOUS INFRASTRUCTURE IMPROVEMENTS FOR THE

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

URBAN BROWNSFIELDS DEVELOPMENT PROJECT AT THE UNION SHIP  
CANAL SITE IN THE CITY OF BUFFALO; STATING THE ESTIMATED  
TOTAL COST THEREOF IS \$2,000,000, APPROPRIATING \$2,000,000  
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF  
THE COUNTY TO PAY THE COST THEREOF.

is hereby amended to read as follows:

“RESOLUTION NO. 299-2006

BOND RESOLUTION DATED JULY 3, 2003 AND AMENDED OCTOBER 12, 2006  
BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS  
INFRASTRUCTURE IMPROVEMENTS FOR THE URBAN BROWNSFIELDS  
DEVELOPMENT PROJECT AT THE UNION SHIP CANAL SITE IN THE CITY OF BUFFALO,  
STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,000,000, APPROPRIATING SAID  
AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE  
COUNTY TO PAY A PORTION OF THE COST THEREOF AND THE APPLICATION OF  
\$6,000,000 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA  
AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF  
OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN  
OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON  
SAID BONDS.

(Introduced) July 25, 2006

(Adopted) October 12, 2006

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE,  
NEW YORK, AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to pursuant to and in accordance with the provisions of Chapter 828 of the New York Laws of 1982 and an intermunicipal agreement with the City of Buffalo, is hereby authorized to acquire and construct various infrastructure improvements for the Urban Brownsfields Development Project at the Union Ship Canal Site, in the City of Buffalo, including roads, sewage collection and disposal facilities, solid waste collection and disposal facilities, water supply facilities and drainage facilities. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$8,000,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2006. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2006 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$2,000,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes and application of \$6,000,000 expected to be received from the United States of America and/or the State of New York State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal of and interest on said bonds or notes.

Section 2. Bonds of the County in the principal amount of \$2,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the specific objects or purposes for which said \$2,000,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds

shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.”

**Section (B).** The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

**Section (C).** This Resolution shall take effect immediately.

MS. WHYTE moved to approve the item. MR. KENNEDY seconded.

CHAIRMAN MARINELLI directed that a roll-call vote be taken.

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, REYNOLDS, SMITH and WHYTE. (AYES: 15; NOES: 0)

CARRIED.

**SUSPENSION OF THE RULES**

Item 49 - MS. WHYTE moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. SMITH seconded. MR. KENNEDY abstained.

CARRIED (14-0-1)

RESOLUTION NO. 300

RE: Lease Agreement for Legislative Office Space (COMM. 18E-29)

RESOLVED, the Erie County Executive is hereby authorized to sign a Six (6) Month Lease Agreement with Frank Green for Legislative office space for Timothy Kennedy, located at 1928 South Park Avenue, Buffalo, New York for a monthly rate of \$650.

Item 50 - MS. WHYTE moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 301

RE: Alternatives to Incarceration – Contract with SUNY at Buffalo Institute for Local Governance & Regional Growth (COMM. 18E-30)

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the County's four-year plan for fiscal years 2006-2009 calls for a reduction of at least 200 inmates per night at the Erie County Holding Center, and implementing various alternatives to incarceration in order to achieve these reductions; and

WHEREAS, it is expected that such a reduction in inmates will save the County approximately \$1.7 million annually; and

WHEREAS, the County has established a Holding Center Task Force ("Task Force") consisting of representatives of the County Executive's Office, Sheriff's Office, District Attorney, Buffalo City Court, Department of Probation and Department of Mental Health who are charged with implementing these alternatives to incarceration; and

WHEREAS, the Task Force seeks the services of an outside, third-party facilitator to assist the work of the Task Force in implementing the alternatives to incarceration; and

WHEREAS, the Erie County Fiscal Stability Authority has made available efficiency grant funding for Erie County; and

WHEREAS, the County Executive's Office, on behalf of the Task Force, has applied to the Fiscal Stability Authority for an efficiency grant to hire an outside, third-party facilitator; and

WHEREAS, during the September 6, 2006 meeting of the Erie County Fiscal Stability Authority, funding for this efficiency grant was approved by the board (ECFSA Resolution No. 06-42); and

WHEREAS, requests for proposals were prepared and responses were received, and the Task Force has tentatively selected the State University of New York at Buffalo Institute for Local Governance and Regional Growth (the "Institute") to assist with implementing alternatives to incarceration; and

WHEREAS, it would benefit the County to immediately initiate the contract with the Institute in order to achieve intended savings as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to enter into contract with the "Institute" in the amount not to exceed \$169,312, to act as a third-party facilitator for the Holding Center Task Force to assist in implementing alternatives to incarceration; and be it further

RESOLVED, that the Director of Budget, Management and Finance and the Erie County Comptroller are hereby authorized to make any budget and accounting adjustments required to accept the funding of \$169,000.00 from the Fiscal Stability Authority and move this expense item to the appropriate efficiency grant in order to make payment to the Institute with County share not to exceed \$312; and be it further

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, Comptroller, Sheriff, Director of Budget, Management and Finance, and the County Attorney.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR MARINELLI**

Item 51 – (COMM. 18E-1) Memo To BOE Commissioners Re: Referendum on Charter Changes

**FROM LEGISLATOR WHYTE**

Item 52 – (COMM. 18E-2) Letter to Marinelli: Notice That She Will Be Out of Town 10/6 - 10/8

Received and filed.

**FROM THE COMPTROLLER**

Item 53 – (COMM. 18E-3) Apportionment and Distribution of Net Collection from the Four and Three Quarter Percent Sales and Compensating Use Tax for 7/06 - 9/06

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 54 – (COMM. 18E-4) Family Court Building

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM LEGISLATOR MARINELLI**

Item 55 – (COMM. 18E-5) Appointment to Fisheries Advisory Board

Received, Filed and Printed.

October 4, 2006

Mr. David J. Swarts  
Interim Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

Dear Mr. Swarts:

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Please be advised that as Chair of the Erie County Legislature, I am appointing Mr. Spencer P. Schofield who resides at 80 Dogwood Road, Williamsville, New York 14221 to serve as a member of the Fisheries Advisory Board for a three year term.

Thank you in advance for your attention to this matter.

Sincerely,

Lynn M. Marinelli  
Chair of the Erie County Legislature

cc: Mr. Joel A. Giambra, County Executive  
Mr. Spencer P. Schofield

FROM LEGISLATOR SMITH

Item 56 – (COMM. 18E-6) Schedule for Finance & Management/Budget Review of the 2007 Proposed Budget

Received, Filed and Printed.

October 9, 2006

Honorable Lynn M. Marinelli  
Chair, Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

Dear Chair Marinelli:

Attached please find a schedule for the Finance, Management and Budget Committee's review of the 2007 Proposed Budget. I recognize that this schedule is rather rigorous but I believe it is appropriate given the amount of material the committee must review prior to completion of the budgetary process. Please note that the schedule contains the opportunity for full budget presentations by the various department and units of county government as well as others impacted by the county budget, i.e. Buffalo Visitors and Convention Center, Arts and cultural organizations.

Thank you in advance for your continued support as the Erie County Legislature commences its detailed review of the Proposed 2007 Budget.

Sincerely,

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Demone A. Smith  
 Chair, Finance, Management and Budget Committee

Cc: Honorable Joel A. Giambra, County Executive  
 Mr. James Hartman, Budget Director  
 Mr. Kenneth Vetter, Executive Director, Erie County Fiscal Stability Authority  
 Members of the Erie County Legislature

ERIE COUNTY LEGISLATURE  
 2007 BUDGET HEARING SCHEDULE

ALL MEETINGS WILL BE HELD IN THE CHAMBERS OF THE ERIE COUNTY  
 LEGISLATURE located at 92 FRANKLIN STREET, FOURTH FLOOR

**MONDAY, OCTOBER 16, 2006**

**1:00 – 3:00 p.m.                      Budget Presentation by Mr. Jim Hartman**

**TUESDAY, OCTOBER 17, 2007**

**9:00 -10:00 a.m.                      Erie County Board of Elections**

**10:00 -11:00 a.m.                      District Attorney**

**11:00-12:00 p.m.                      Comptroller**

**1:00- 2:00 p.m.                      County Clerk—Registrar  
 County Clerk—Auto**

**2:00-3:00 p.m.                      Sheriff**

**WEDNESDAY, OCTOBER 18, 2006**

**9:00-9:30 a.m.                      County Executive**

**9:30-10:00 a.m.                      County Attorney**

**10:00-10:30 a.m.                      Personnel**

**10:30-11:00 a.m.                      Budget, Management and Finance**

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**11:00-12:00 p.m.                   Public Works  
  Commissioner's Office  
  Buildings & Weights  
  Highway Division  
  Utility Fund**

**1:00-2:00 p.m.                   DISS, Purchasing & Fleet Management**

**2:00-2:45 p.m.                   Environment & Planning**

**3:00-4:00 p.m.                   Library**

**THURSDAY, OCTOBER 19, 2006**

**9:00-10:00 a.m.                   Health—Health Division  
  Public Health  
  Medical Examiner  
  Emergency Medical Services**

**10:00-10:30 a.m.                   Labor Relations**

**10:30-11:00 a.m.                   Office of Public Advocacy**

**11:00-12:00 p.m.                   Probation**

**1:00-3:00 p.m.                   Social Services (45 minutes)  
  Senior Services (45 minutes)  
  Mental Health (30 minutes)  
  Administration  
  Forensic**

**3:00-4:00 p.m.                   Youth Services—Youth  
  Youth Services—Detention  
  Youth Special Needs**

**FRIDAY, OCTOBER 20, 2006**

**Committee Meetings (if necessary)**

**MONDAY, OCTOBER 23, 2006**

**9:00-10:00 a.m.                   Parks, Recreation and Forestry**

**10:00-11:00 a.m.                   Central Police Services**

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**11:00-11:30a.m.                    Cornell Cooperative Extension**

**11:30-12:00 p.m.                Soil & Water Conservation Districts**

**1:00-1:30 p.m.                    Buffalo Visitors and Convention Center**

**1:30-2:15 p.m.                    Arts Council of Buffalo & Erie County  
and other Community-Based Arts Groups**

**2:30-3:30 p.m.                    Arts and Culture  
Buffalo Zoo  
Albright-Knox Art Gallery  
Buffalo Philharmonic Orchestra  
Buffalo & Erie County Historical Society  
Buffalo Museum of Science  
Studio Arena Theatre  
Buffalo-Niagara Film Commission**

**Tuesday, OCTOBER 24, 2006**

**Committee Meetings (if necessary)**

**WEDNESDAY, OCTOBER 25, 2006**

**Call-backs (if necessary)**

**THURSDAY, OCTOBER 26, 2006**

**SESSION**

**FRIDAY, OCTOBER 27, 2006**

**Final Call-backs (if necessary)**

**FROM THE COUNTY EXECUTIVE**

Item 57 – (COMM. 18E-7) Recovery of Attorney's Fees and Other Reasonable and Necessary Legal Costs Incurred in the Course of Enforcing the Collection of Delinquent Taxes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 58 – (COMM. 18E-8) ECSD No. 3 - NYSDOT - Revised Resolution Comm. 11E-19

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

---

Item 59 – (COMM. 18E-9) DEP - Sewerage Management - SMSI Grant Application

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 60 – (COMM. 18E-10) CPS - Project Impact III Award

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 61 – (COMM. 18E-11) DPW - Ticor Building - Renovations for County Attorney's Offices

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 62 – (COMM. 18E-12) ECSD No. 2 - Engineering Agreement Dated 8/29/02 - URS Corp. - Change Order No. 5

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 63 – (COMM. 18E-13) DPW - Financial Audit - Botanical Garden Grants

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 64 – (COMM. 18E-14) Parks, Recreation & Forestry - Parking Fee Implementation

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 65 – (COMM. 18E-15) ECSD No. 2 - Engineering Agreement Dated 8/29/02 - URS Corp. - Change Order No. 4 (Revised)

Item 66 – (COMM. 18E-16) DEP - City of Buffalo Recycling Education & Outreach Program - Contract with OtherWisz Creative Corp.

Item 67 – (COMM. 18E-17) ECSD No. 1 - Real-Time, Web-Based Wireless Flow Monitoring & Online Flow Model - Change Order No. 1

Item 68 – (COMM. 18E-18) ECSD No. 4 - Contract No. 37, Didion Road Sanitary Sewers - Dispensation of Hours - Accadia Site Contracting, Inc.

Item 69 – (COMM. 18E-19) ECSD No. 6 - Bethlehem Park Phase II/Hamburg Village Phase IV - Contract No. 32SA - Contract Close Out - Kandey Company, Inc.

The above five items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

Item 70 – (COMM. 18E-20) DPW - Acquisition of Property for Right-of-Way - Reconstruction of Flood Damage - Vermont Street Culverts FEMA Project - Town of Holland

Item 71 – (COMM. 18E-21) DPW - Acquisition of Property for Right-of-Way - Reconstruction of Flood Damage - Four Rod Road Culverts FEMA Project - Towns of Marilla and Wales

The above two items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 72 – (COMM. 18E-22) Probation and Youth Detention Services - NYS Division of Criminal Justice Services Juvenile Justice Formula Grant Project.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 73 – (COMM. 18E-23) ECSD No. 4 - William St. Subtrunk Sanitary Sewer - Contract No. 35L - Contract Close Out - Sergi Construction, Inc.

Item 74 – (COMM. 18E-24) ECSD No. 3 - Village of Blasdell - Proposed Amended Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 75 – (COMM. 18E-25) Senior Services - Authorization to Establish the POE Grant

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 76 – (COMM. 18E-26) Reallocation of Community Development Block Grant Funding for Spaulding Fibre Development.

Item 77 – (COMM. 18E-27) ECSD No. 2 - Bluffs Subtrunk Phase 2 - Contract No. 34EV-PH2 - Contract Close Out - Southern Tier Site Utility.

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 78 – MS. IANNELLO presented the following resolution and moved for immediate consideration and approval. MR. REYNOLDS seconded.

CHAIRMAN MARINELLI directed that a roll-call vote be taken.

AYES: MILLS, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRANN, MARINELLI, MAZUR, REYNOLDS, SMITH and WHYTE.  
NOES: RANZENHOFER. (AYES: 14; NOES: 1)

CARRIED.

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

---

WHEREAS, the County of Erie, Erie Community College and the Faculty Federation of Erie Community College have reached an agreement covering the working conditions, including wages and fringe benefits, for those employees of the County of Erie and Erie Community College represented by the Faculty Federation of Erie Community College, for the period of September 1, 2005 through August 31, 2009; and

WHEREAS, the terms of said agreement have been ratified by members of the Faculty Federation of Erie Community College on September 15, 2006 and approved by the Board of Trustees of Erie Community College on September 14, 2006;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the fiscal year 2005-2009 Collective Bargaining Agreement are hereby approved effective September 1, 2005 except as otherwise specified and agreed to and shall remain in full force until August 31, 2009; and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby granted authority to make any and all transfers of funds as required to implement the agreement; and be it further

RESOLVED, that authorization is hereby given for the County to enact said agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, the Office of County Comptroller and Erie Community College.

## **FFECC CONTRACT ITEMS OF AGREEMENT**

**Contract Term: September 1, 2005 to August 31, 2009**

### **ARTICLE 1 – RECOGNITION**

**(B) Add the following full-time classifications:**

**Mentor  
Senior Coordinator of Audio Visual  
Principal Coordinator of Audio Visual  
Master Electronic Technician  
Master Technical Assistant**

### **ARTICLE 2 – DEFINITIONS**

**(G) Change item dd to:**

**dd. Mechanical Engineering/Industrial Technology**

### **ARTICLE 9 – DEPARTMENT CHAIRS**

**(1) Add the following:**

**Release time and stipends effective 2005-2007 Academic Years per Attachment A-1, page 7 (Attachment for 2005-06 and 2006-07)**

**Release time and stipends effective 2007-2009 Academic Years per Attachment A-2, page 8 (Attachment for 2007-2008 and 2008-2009).**

**(14) Change to read:**

**Department chairs shall participate without compensation payment in such college activities as Governance (Committee/Task Forces), Graduation, Advisement, or any other activities during the calendar year as assigned by the Administration of the College up to 40 hours. Participation will be in a minimum of four (4) hour increments for all activities outside the Academic year. Scheduling of the 40 hours will be accounted for and pre-approved by the Assistant Academic Dean. The practice of department chairs teaching one day overload course will continue through this contract.**

Add new (15):

**No Retrenchment Clause**

The College agrees that, during the life of this Agreement, there will be no reduction in staff, due to any changes in the allocation of reduced load. The College will provide all adversely affected members with an alternative assignment to complement their full load. This alternative assignment may consist of, but is not limited to, the following: (where qualified) the assignment of courses in other disciplines, administrative assignments, (e.g., curriculum development, advisement activities, lab activities and research), and retraining.

**ARTICLE 21 – INSTRUCTIONAL PREPARATIONS**

Add new (4):

There will be no additional compensation for those faculty who agree to teach additional preparations beyond the above-stated limit.

**ARTICLE 25 – PART-TIME TEACHING ASSIGNMENTS**

Add new (3):

- a) **Summer Session(s):** Faculty members shall not be permitted to teach more than three (3) courses or nine (9) credit hours during any one (1) session, with no more than eighteen (18) credit hours taught during the period between the end of the traditional spring semester and the start of the fall semester.
- b) **Winter Intersession:** Faculty members shall not be permitted to teach more than two (2) courses or six (6) credit hours during intersession (the period between the end of the fall semester and the start of the spring semester).

(Lecture courses and the corresponding lab will be considered one course for the purposes of this article.)

(2) Add a new paragraph:

Effective after ratification/approval of the successor Agreement by all Parties, full-time faculty members who retire after such date will have this preferential right for a period of five (5) years past their retirement. After this period, continuation of such preference for part-time teaching shall be based upon favorable departmental annual evaluation.

**ARTICLE 28 – RANK**

(1) (d) Add the following:

\*\*\*\* For Coordinator of Audio Visual, “appropriate audio visual experience” shall be substituted for “appropriate teaching experience.”

**ARTICLE 29 – RANK ADVANCEMENT**

(5) Add the following:

Senior Technical Assistants and Electronic Technicians will be eligible for rank advancement to Job Group 11 after completing the current Step VIII and earning a Bachelors degree or 150 college credits.

Add to advancement table:

JOB GROUP/STEP	FROM	JOB GROUP/STEP	TO
<b>EFFECTIVE 9/1/07</b>			
COORDINATOR OF AUDIO VISUAL	9-7	SENIOR COORDINATOR OF AUDIO VISUAL	11-4
COORDINATOR OF AUDIO VISUAL	9-8	SENIOR COORDINATOR OF AUDIO VISUAL	11-5
COORDINATOR OF AUDIO VISUAL	9-LA	SENIOR COORDINATOR OF AUDIO VISUAL	11-5
COORDINATOR OF AUDIO VISUAL	9-LB	SENIOR COORDINATOR OF AUDIO VISUAL	11-6
COORDINATOR OF AUDIO VISUAL	9-LC	SENIOR COORDINATOR OF AUDIO VISUAL	11-6
SENIOR COORDINATOR OF AUDIO VISUAL	11-7	PRINCIPAL COORDINATOR OF AUDIO VISUAL	13-4
SENIOR COORDINATOR OF AUDIO VISUAL	11-8	PRINCIPAL COORDINATOR OF AUDIO VISUAL	13-5
SENIOR COORDINATOR OF AUDIO VISUAL	11-LA	PRINCIPAL COORDINATOR OF AUDIO VISUAL	13-5
SENIOR COORDINATOR OF AUDIO VISUAL	11-LB	PRINCIPAL COORDINATOR OF AUDIO VISUAL	13-6
SENIOR COORDINATOR OF AUDIO VISUAL	11-LC	PRINCIPAL COORDINATOR OF AUDIO VISUAL	13-6
<b>EFFECTIVE 9/1/08</b>			
SR TECH ASST/SR ELECT TECH	9-8	MASTER TECH ASST/MASTER ELECT TECH	11-5
SR TECH ASST/SR ELECT TECH	9-LA	MASTER TECH ASST/MASTER ELECT TECH	11-5
SR TECH ASST/SR ELECT TECH	9-LB	MASTER TECH ASST/MASTER ELECT TECH	11-6
SR TECH ASST/SR ELECT TECH	9-LC	MASTER TECH ASST/MASTER ELECT TECH	11-6

**ARTICLE 36 – TEACHING LOAD**

(5) Add new:

Effective September 1, 2006 compensation for Large Lecture/Combined Sections will be made when the class capacity has been exceeded by more than 3 students after the 1<sup>st</sup> day of the 4<sup>th</sup> week.

Administration may not increase the course enrollment beyond the expressly stated contractual class maximum without the express written permission of the instructor prior to the submission of course schedules.

(6) Add new:

Within two (2) weeks following the final approval of the successor Agreement by all Parties, the President of the College and the President of the Faculty Federation shall each appoint two (2) individuals to the existing Distance Learning Steering Committee. The charge of the newly

configured Committee will be to formulate a recommended comprehensive policy on Distance Learning within six (6) months from the date of its first meeting. The Committee will forward their results to the President of the College and the President of the Faculty Federation for their mutual written agreement on the final policy before it can be implemented and incorporated into the Agreement.

**ARTICLE 40 – ACADEMIC CALENDAR AND YEAR:**

**(6) Add new:**

Effective upon ratification/approval of the successor Agreement by all Parties, the President of the College and the President of the Faculty Federation shall each appoint four (4) individuals to an Ad Hoc Committee whose task will be to review and improve the advisement process and propose an appropriate advisement schedule. This Committee will have six (6) months from the date of their first meeting to complete the task and forward the results to the President of the College and the President of the Faculty Federation who must then mutually agree on the final language before it can be implemented and incorporated into the Contract.

**ARTICLE 58 – INSURANCE**

**A(2) Add the following: (This section applies only to individuals hired after approval of the 2005 – 2009 Contract)**

- (a) For new employees hired after contract approval of the 2005-2009 contract, the employer shall contribute 85% of the monthly cost of the Core Plan health insurance product.**
- (b) If the employee chooses the Enhanced Plan, he or she must pay 15 percent plus the difference between the Enhanced and Core plans.**
- (c) If the employee chooses the Value Plan, he or she is entitled to receive one-half of the difference between the Value and Core plans less the 15 percent employee contribution (amount to be placed in a 105H account).**

**A(10) Add the following: (This section applies only to individuals hired after approval of the 2005 – 2009 Contract)**

For new employees hired after contract approval of the 2005-2009 contract, the employer shall pay 75% of the monthly premium Core Plan rate for eligible employees who retire from County service with 1700 hours or less of accumulated sick leave. Employees with other accumulated sick leave shall have their health insurance premiums paid at the following percentages:

Employees who retire with 1800 hours accumulated shall receive 80 %  
 Employees who retire with 1950 hours accumulated shall receive 85 %  
 Employees who retire with 2100 hours accumulated shall receive 90 %  
 Employees who retire with 2250 hours accumulated shall receive 95 %  
 Employees who retire with 2400 hours accumulated shall receive 100 %

**ARTICLE 64 – EVALUATIONS**

Add the following:

The President of the College and the President of the Faculty Federation shall each appoint four (4) individuals whose task will be to develop an evaluation instrument for all job classifications represented by the Faculty Federation. This Committee will have six (6) months from the date of contract ratification to complete the task and forward the results to the President of the College and the President of the Faculty Federation. The two Presidents must then mutually agree on the final evaluation instruments before they can be implemented and incorporated into the Contract.

**ARTICLE 67 – GREIVANCES**

Make the following changes:

- (4) (a) Step One: Change “three (3) working days” to read “ten (10) working days.”  
 (c)(1)(b)(3) Step Three: Change “Erie County Representative other than a College Administrator” to read “Appropriate College Administrator.”

**ARTICLE 68 – SALARY**

(3) Salary Schedules will read:

A \$3,000 payment upon final contract approval payable to individuals currently employed on a full-time or RPT basis and who were employed on a full-time or RPT basis during the 2005-06 academic year. Such amount will be added to the 2005-06 pay scale and be used as a basis for the 2006-07 pay charts. A \$3,000 payment will be made in a separate check after final contract approval.

**Percent pay raises:**

Year	Increase
2006-2007	0%
2007-2008	0%
2008-2009	1%

Effective for 2008-2009: an Overload and Part-time Teaching rate re-opener. (Negotiations for this re-opener will commence in January, 2008.)

(4) Longevity Pay

(d) Add:

Effective September 1, 2008.

Again after the completion of another three (3) continuous years of service in the same position, the employee will receive a fourth increment (Long Step D) which will be  $\frac{1}{2}$  of 1% of the longevity step C.

**(7) Part-time Rates.**

- |     |  |                        |
|-----|--|------------------------|
| (a) | <b>Part-time teaching rate:</b>          |                        |
|     | Effective September 1, 2005              | \$500 per contact hour |
|     | Effective January 22, 2007               | \$600 per contact hour |
|     | Effective September 1, 2008              | Rate re-opener         |
| (b) | <b>Part-time Non-instructional rate:</b> |                        |
|     | Effective September 1, 2005              | \$13.38 per hour       |
|     | Effective September 1, 2006              | \$25.00 per hour*      |

\*This non-instructional rate is for faculty performing non-instructional academic activities and for part-time counselors, and part-time librarians. This rate will not be used for Workforce Development/Corporate Training activities.

<b>Part-time Mentor rate:</b>	
Effective September 1, 2006	\$18 per hour

**(8) Overload Compensation.**

Effective September 1, 2005	\$500 per contact hour
Effective January 22, 2007	\$600 per contact hour
Effective September 1, 2008	Rate re-opener

Effective upon ratification/approval of all Parties, revise Appendix C, to read as follows:

**Arbitrator List**

Dennis Campagna  
Ronald Kowalski  
John G. Watson  
Paul J. Caffera  
James A. Gross  
Stuart M. Pohl  
Howard Foster

MEETING NO. 18  
OCTOBER 12, 2006

ERIE COUNTY LEGISLATURE

ATTACHMENT A\_1  
Academic Department Chairs

1-Sep-05

Department	City	North	South
Architectural Tech/Mechanical Drafting	*	*	(6)
Automotive Technology	*	*	(6)
Auto Trades/Autobody	*	*	(6)
Biology	(6)	(6)	(6)
Bldg. Management & Maintenance Technology	(6)	*	*
Business Administration	(9)	(9)	(9)
Chemistry	(6)	*	(6)
Chemistry/Chem. Tech	*	(6)	*
Civil Engineering/Construction Technology	*	(6)	*
Computer Information Systems	(6)	(6)	(6)
Computer Repair Tech/Bio Med Tech	*	*	(6)
Counseling Center	(14)	(14)	(14)
Criminal Justice	(6)	(6)	*
Dietetic Technology	*	(6)	*
Early Childhood	(6)	*	*
Electrical Engineering/Communication Sys Tech	*	(6)	*
Emergency Medical Technology	(6)	(6)	(6)
English/Communication Arts	(9)	(9)	(9)
Fire Protection	N/A	N/A	N/A
Graphic Arts	*	*	(6)
Health/Physical Education/Recreation	*	*	(9)
Hospitality Management	(6)	(6)	*
Humanities	(6)	(6)	(6)
Learning Resource Center	(14)	(14)	(14)
Manufacturing Technology	*	(6)	*
Mathematics/Computer Science	(6)	(12)	(6)
Mechanical Engineering/Machine Tool Tech	*	(6)	*
Office Management/Office Technology	(6)	(6)	(6)
Paralegal	(6)	*	*
Physics/Engineering Science	(6)	(9)	(6)
Social Science – International Studies	(6)	(9)	(6)
Telecommunications	*	*	(6)
Asst Chair Developmental Education/English	(3)	(3)	(3)
Asst Chair Developmental Education/Mathematics	(3)	(3)	(3)
Asst Chair Computer Science	*	(3)	*
Asst Chair General Studies	(3)	(3)	(3)
Campus Council Chair	(3)	(3)	(3)
Center for Professional Development Coordinator	(12) College-Wide		
Middle States Chair	(3)	(3)	(3)
Honors Program Coordinator	(3)	(3)	(3)
Teacher Preparation	(3)	*	*

**MEETING NO. 18  
OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

**Attachment A-2**

**Academic Department Chairs  
September 1, 2007**

3 – contact hours  
\$1800 - cost per semester

Department	City	North	South
Architectural Tech/Mechanical Drafting			3/1800/sem
Automotive Technology			3/1800/sem
Auto Trades/Autobody			3/1800/sem
Biology	3/1800/sem	3/1800/sem	3/1800/sem
Bldg Management & Maintenance Technology	3/1800/sem		
Business Administration	6/1800/sem	6/1800/sem	6/1800/sem
Chemistry	3/1800/sem	3/1800/sem	3/1800/sem
Civil Engineering/Construction Technology		3/1800/sem	
Computer Information Systems	3/1800/sem	3/1800/sem	3/1800/sem
Computer Repair Tech/Casino Gaming			3/1800/sem
Counseling Center (stipend only)	2500/sem	2500/sem	2500/sem
Criminal Justice	3/1800/sem	3/1800/sem	
Dietetic Technology		3/1800/sem	
Early Childhood	3/1800/sem		
Electrical Engineering/Communication Sys Tech.		3/1800/sem	
Emergency Medical Technology	3/1800/sem	3/1800/sem	3/1800/sem
English/Communication Arts	6/1800/sem	6/1800/sem	6/1800/sem
Fire Protection			n/a
Graphic Arts			3/1800/sem
Health/Physical Education/Recreation (college wide)			9/1800/sem
Hospitality Management	3/1800/sem	3/1800/sem	
Humanities (merge city with South)		3/1800/sem	6/1800/sem
Learning Resource Center (stipend only)	2500/sem	2500/sem	2500/sem
Mathematics/Computer Science (keep at (6) C & S	6/1800/sem	9/1800/sem	6/1800/sem
Mechanical Engineering/Industrial Technology		3/1800/sem	
Office Management/Office Technology	3/1800/sem	3/1800/sem	3/1800/sem
Paralegal	3/1800/sem		
Physics	3/1800/sem	3/1800/sem	3/1800/sem
Physics/Engineering Science		1800/sem	
Social Science – International Studies	6/1800/sem	6/1800/sem	6/1800/sem
Telecommunications			3/1800/sem
Asst Chair General Studies * HRS & Stipend	3/1800/sem	3/1800/sem	3/1800/sem
Asst Chair Developmental Education/English	1800/sem	1800/sem	1800/sem
Asst Chair Developmental Education/Mathematics	1800/sem	1800/sem	1800/sem
Asst Chair Computer Science		1800/sem	
Campus Council Chair	1800/sem	1800/sem	1800/sem
CTLA Coordinator	college-wide 7,200/sem		
Middle States Chair	1800/sem	1800/sem	1800/sem
Honors Program Coordinator	1800/sem	1800/sem	1800/sem
Teacher Preparation	1800/sem		

FFEC Departments Lists 9/01/07

(Stipend is determined by the contractual overload rate based upon the release time reduction from 2004-2005 shown in attachment A-5 with the exception of Counseling and the Learning Resource Center which is a fixed amount)

FFEC SALARY SCHEDULE 2005-2009

JOB GRADE	JOB GROUPS	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	LONG A	LONG B	LONG C	LONG D
9	Instructor	36,986	38,985	40,973	42,985	44,983	46,969	48,978	51,088	52,051	53,026	54,025	54,295
	College Librarian	36,620	38,599	40,567	42,559	44,538	46,504	48,493	50,582	51,536	52,501	53,490	53,490
		36,620	38,599	40,567	42,559	44,538	46,504	48,493	50,582	51,536	52,501	53,490	53,490
		33,620	35,599	37,567	39,559	41,538	43,504	45,493	47,582	48,536	49,501	50,490	50,490
11	Assistant Professor	43,320	46,209	48,021	50,387	52,730	55,087	57,447	59,891	61,024	62,186	63,362	63,679
	Senior College Librarian	42,891	45,751	47,546	49,888	52,208	54,542	56,878	59,298	60,420	61,570	62,735	62,735
		42,891	45,751	47,546	49,888	52,208	54,542	56,878	59,298	60,420	61,570	62,735	62,735
		39,891	42,751	44,546	46,888	49,208	51,542	53,878	56,298	57,420	58,570	59,735	59,735
13	Associate Professor	51,834	54,694	57,554	60,408	63,275	66,133	68,897	0	70,181	71,491	72,830	73,194
	Principal College Librarian	51,321	54,152	56,984	59,810	62,649	65,478	68,215	0	69,486	70,783	72,109	72,109
		51,321	54,152	56,984	59,810	62,649	65,478	68,215	0	69,486	70,783	72,109	72,109
		48,321	51,152	53,984	56,810	59,649	62,478	65,215	(*)	66,486	67,783	69,109	69,109
14	Professor	57,405	60,621	63,837	67,043	70,250	73,600	0	0	74,978	76,386	77,817	78,207
		56,837	60,021	63,205	66,379	69,554	72,871	0	0	74,236	75,630	77,047	77,047
		56,837	60,021	63,205	66,379	69,554	72,871	0	0	74,236	75,630	77,047	77,047
		53,837	57,021	60,205	63,379	66,554	69,871	(*)	(*)	71,236	72,630	74,047	74,047

JOB GRADE	JOB GROUPS	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	LONG A	LONG B	LONG C	LONG D
6	2008-2009	31,217	32,501	33,783	35,066	36,344	37,681	39,056	40,563	41,351	42,150	42,964	43,179
	2007-2008	30,908	32,179	33,449	34,719	35,984	37,308	38,669	40,161	40,942	41,733	42,539	
	2006-2007	30,908	32,179	33,449	34,719	35,984	37,308	38,669	40,161	40,942	41,733	42,539	
	2005-2006	27,908	29,179	30,449	31,719	32,984	34,308	35,669	37,161	37,942	38,733	39,539	
9	2008-2009	37,934	39,988	42,040	44,093	46,152	47,784	49,578	51,867	53,070	54,301	55,569	55,847
	2007-2008	37,558	39,592	41,624	43,656	45,695	47,311	49,087	51,353	52,545	53,763	55,019	
	2006-2007	37,558	39,592	41,624	43,656	45,695	47,311	49,087	51,353	52,545	53,763	55,019	
	2005-2006	34,558	36,592	38,624	40,656	42,695	44,311	46,087	48,353	49,545	50,763	52,019	
11	Master Electronic Technician												
	2008-2009	44,000	46,225	48,561	51,014	53,590	56,295	59,134	62,116	64,191	65,806	67,461	67,798
11	2008-2009	44,441	46,863	49,287	51,701	54,092	56,557	58,965	61,482	62,641	63,837	65,050	65,375
	2007-2008	44,001	46,399	48,799	51,189	53,556	55,997	58,381	60,873	62,021	63,205	64,406	
	2006-2007	44,001	46,399	48,799	51,189	53,556	55,997	58,381	60,873	62,021	63,205	64,406	
	2005-2006	41,001	43,399	45,799	48,189	50,556	52,997	55,381	57,873	59,021	60,205	61,406	

Note that Assistant Child-care Teacher, Child-care Teacher, and Athletic Trainer are FFECC positions that are not being utilized by the College and would remain as Federation positions if the College chose to fill those positions.

JOB GRADE	JOB GROUPS	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	LONG A	LONG B	LONG C	LONG D	
13	2008- Senior Counselor	51,599	54,548	57,493	60,429	63,362	66,302	69,396	0	70,721	72,079	73,452	73,820	
	2007- Principal Coordinator of Audio Visual	51,088	54,008	56,924	59,831	62,735	65,646	68,709	0	70,021	71,365	72,725		
	2006- 2007	51,088	54,008	56,924	59,831	62,735	65,646	68,709		70,021	71,365	72,725		
	2005- 2006	48,088	51,008	53,924	56,831	59,735	62,646	65,709	(*)	67,021	68,365	69,725		
14	2008- Principal Counselor	57,327	60,629	63,933	67,235	70,523	73,907	0	0	75,323	76,763	78,242	78,633	
	2007- 2008	56,759	60,029	63,300	66,569	69,825	73,175	0	0	74,577	76,003	77,467		
	2006- 2007	56,759	60,029	63,300	66,569	69,825	73,175			74,577	76,003	77,467		
	2005- 2006	53,759	57,029	60,300	63,569	66,825	70,175	(*)		71,577	73,003	74,467		

**Memorandum of Understanding Agreement**

**For the 2005 – 2009 FFECC Contract**

The attached items of agreement constitute changes to the previous (September 1, 2000 – August 31, 2005) Collective Bargaining Agreement between the FFECC and Erie Community College and Erie County. These changes will be incorporated into the previous Collective Bargaining Agreement dated September 1, 2000 – August 31, 2005. Pages 1 – 6 are changes to Articles, page 7 lists release hours for department chairs for 2005 - 2007, page 8 lists changes to the release time and stipends for department chairs for September 2007 – August 2009, and pages 9 through 11 are changes to the existing salary schedule.

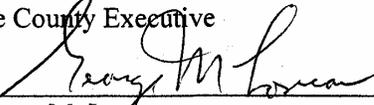
These changes to the Collective Bargaining Agreement were unanimously approved by the Executive Committee of the FFECC on September 1, 2006, and were ratified by a majority of the membership of the FFECC at a September 6, 2005, ratification meeting.

**FOR THE FACULTY FEDERATION**

  
\_\_\_\_\_  
Andrew Sako  
President, Faculty Federation of Erie Community College

Date: 9/15/06

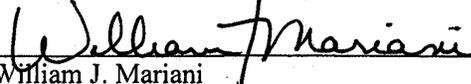
**FOR THE COUNTY OF ERIE**

\_\_\_\_\_  
Joel A. Giambra  
Erie County Executive  
  
\_\_\_\_\_  
George M. Loncar  
Erie County Director of Labor Relations

Date: \_\_\_\_\_

Date: 9/16/06

**FOR ERIE COMMUNITY COLLEGE**

  
\_\_\_\_\_  
William J. Mariani  
President, ECC  
  
\_\_\_\_\_  
James G. Corasanti, M.D., Ph.D.  
Chairman, ECC Board of Trustees

Date: 9/14/06

Date: 9/14/06

IN WITNESS WHEREOF, the Parties hereto have hereunder set their hands and seals the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 79 – (COMM. 18D-1) Board of Trustees Meeting - Proposed Agenda - 9/28/06

Received and filed.

**FROM ERIE COMMUNITY COLLEGE**

Item 80 – (COMM. 18D-2) Agenda for Board of Trustees Meeting Held 9/27/06

Received and filed.

Item 81 – (COMM. 18D-3) FFECC Contract

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 82 – (COMM. 18D-4) Minutes of Board of Trustees Meeting Held 8/30/06

Received and filed.

**FROM THE DEPARTMENT OF PUBLIC WORKS**

Item 83 – (COMM. 18D-5) Family Court Building - Timeline of Indoor Environmental Quality Issues

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE DEPARTMENT OF MENTAL HEALTH**

Item 84 – (COMM. 18D-6) Copy of Letter to Erie County Employee Re: Family Court Building

Received and filed.

**FROM THE COUNTY ATTORNEY**

Item 85 – (COMM. 18D-7) NYS Lawncare Assn. Vs. Erie County

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 86 – (COMM. 18D-8) Transmittal of New Claims Against Erie County

**FROM THE DEPARTMENT OF SOCIAL SERVICES**

Item 88 – (COMM. 19D-9) Letter to Smith Re: Strengthening Families Program

Received and referred to the HUMAN SERVICES COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM CORINA BERMAN**

Item 88 – (COMM. 18M-1) Letter to Marinelli Re: Neighborhood Notification Law

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE NIAGARA FRONTIER TRANSPORTATION AUTHORITY**

Item 89 – (COMM. 18M-2) NFTA Board Minutes for Meeting Held 9/28/06

Received and filed.

**FROM THE ERIE COUNTY FISCAL STABILITY AUTHORITY**

Item 90 – (COMM. 18M-3) Certified Resolution Re: Alternatives to Incarceration

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM BUFFALO PLACE**

Item 91 – (COMM. 18M-4) 2007 Budget

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE

**FROM THE CITY OF TONAWANDA MAYOR**

Item 92 – (COMM. 18M-5) Receipt of Certified Resolution Re: County Executive's Modifications to Erie County's Four Year Fiscal Plan

Received and filed.

**FROM THE TOWN OF CLARENCE**

Item 93 – (COMM. 18M-6) Certified Resolution Re: ECSD No. 5

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE ERIE-NIAGARA REGIONAL PARTNERSHIP**

Item 94 – (COMM. 18M-7) Agenda for Meeting To Be Held 10/13/06

Received and filed.

FROM THE TOWN OF LANCASTER

Item 95 – (COMM. 18M-8) Certified Resolution Re: Erie County Fire Training Academy

Received and filed.

**MEMORIAL RESOLUTIONS**

Item 96 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of the Hon. Vincent E. Doyle.

Item 97 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of Mary C. Roberts.

Item 98 – Mr. Loughran requested that when the Legislature adjourns, it do so in memory of Mary C. Roberts.

Item 99 – Ms. Locklear requested that when the Legislature adjourns, it do so in memory of Joyce S. Odien.

Item 100 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of US soldiers who passed away fighting in Iraq.

Item 101 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Esther K. Everett.

Item 102 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Stephen M. Preg.

Item 103 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Jerome D. Shine.

Item 104 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Hon. Vincent E. Doyle.

Item 105 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Melissa Reed Chudy.

Item 106 – Mr. Kennedy requested that when the Legislature adjourns, it do so in memory of Dominic Chilla.

**ADJOURNMENT**

Item 107 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

**MEETING NO. 18**  
**OCTOBER 12, 2006**

**ERIE COUNTY LEGISLATURE**

---

MR. SMITH moved that the Legislature adjourn until Thursday, October 26, 2006 at 2 p.m. Eastern Standard Time. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, October 26, 2006 at 2 p.m. Eastern Standard Time.

**DAVID J. SWARTS**  
**INTERIM CLERK**